



# The State Bar *of California*

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**OPEN SESSION  
AGENDA ITEM  
DECEMBER 2019  
COMMITTEE OF BAR EXAMINERS ITEM O-402**

**DATE:** December 6, 2019

**TO:** Members, Committee of Bar Examiners

**FROM:** Natalie Leonard, Principal Program Analyst, Office of Admissions

**SUBJECT:** Report on Thomas Jefferson School of Law's Status and Compliance

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## **EXECUTIVE SUMMARY**

Effective December 17, 2019, Thomas Jefferson School of Law will transition from ABA approved status to State Bar accredited status according to the plan adopted by the Committee of Bar Examiners on October 18, 2019. The school is working with the State Bar to prepare all required elements of compliance including disclosures, an upcoming inspection, and compliant cumulative bar pass rate reporting.

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## **BACKGROUND**

After a period of probation, the ABA advised Thomas Jefferson School of Law (TJSOL) that it would withdraw ABA approval, and affirmed that decision on appeal. The school's ABA approval will terminate on December 17, 2019 at the conclusion of the school's final examination period.

In October 2018, the Committee granted TJSOL's request to confirm its status as a school that was deemed accredited as a result of its ABA approval and to adopt an expedited transition plan if the school's ABA approval should expire.

As part of the process, TJSOL submitted a full self-study demonstrating that it was in full compliance with all relevant State Bar accreditation standards to the extent practical, including the Minimum, Cumulative Bar Passage rate standard of at least forty percent required of all schools. At the time of application, the school's 2018 MPR was 70.5%. An updated 2018 MPR is expected to be disclosed at the Committee meeting, and continued compliance is expected based on internal estimates.

The school indicated willingness to comply with any other requirements upon transition to full State Bar accreditation, such as disclosure requirements indicating the school's status as a State Bar accredited school, and provision of disclosures to newly enrolled students.

The Committee affirmed the school's State Bar accredited status and agreed to offer an expedited timeline for the school to demonstrate compliance. In most cases, a new school requires time to reach a status of full compliance. Under this circumstance, however, immediate compliance is expected. The issues that resulted in the withdrawal of ABA approval related to a financial crisis now resolved, and a more stringent bar pass rate standard, will not pose obstacles to compliance with State Bar Rules and Guidelines for Accredited Law Schools.

The Committee also acquiesced to the school's five non-J.D. programs and TJSOL plans to continue to offer those programs as well.

## **DISCUSSION AND STATUS**

TJSOL is prepared to undergo an inspection in early 2019 and otherwise comply with all applicable Rules and Guidelines. The school is already working closely with staff to ensure a smooth transition in December.

It is expected, based upon the school's prior self-study, as well as the internal estimate of the MPR, and the current actions that the school is taking, that the school will be able to demonstrate immediate full compliance.

The school has advised that it plans to submit a teach out plan to the ABA that would allow its currently enrolled students to receive an ABA approved degree, while new students enrolling will attend under State Bar accreditation.

Because the Committee already adopted a plan in October 2018, no further action is needed from the Committee at its December meeting. Staff will proceed in accordance with the Committee's previously adopted plan by scheduling an inspection in 2020 and returning the findings to the Committee.

## **ATTACHMENT**

- A. ABA Denial of Thomas Jefferson School of Law's Appeal of the Termination of ABA approval



Legal Education and  
Admissions to the Bar

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APPEALS PANEL DECISION

NOTICE TO AFFIRM THE COUNCIL DECISION TO WITHDRAW APPROVAL

THOMAS JEFFERSON SCHOOL OF LAW

November 2019

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The Council of the Section of Legal Education and Admissions to the Bar of the American Bar Association (the "Council"), at its meeting on May 16-18, 2019, considered the status of Thomas Jefferson School of Law (the "Law School") and determined to withdraw the approval of the Law School, located at 701 B Street, San Diego, California. The Council's May 2019 determination follows its finding of continuing noncompliance with Standards 202(a) and (d), 301(a), and 501(b) and Interpretations 501-1 and 501-2.

The Law School appealed the Council's May 2019 decision and an Appeals Panel (the "Panel") appointed by the Managing Director's Office, pursuant to Rules 30-36 of the ABA Rules of Procedure for Approval of Law Schools, reviewed the Council's May 2019 decision. Following consideration of the record in the matter and the Law School's and Council's appearance at a hearing, the Panel reported to the Council and the Law School on November 21, 2019, that it affirmed the Council's decision to withdraw approval.

Public notification of the decision of the Panel is being made pursuant to Rule 48. There is no further appeal or review of the Council's decision within the accreditation process. Rule 44 applies and all matters related to this proceeding, other than this announcement, are confidential.

The Panel's decision reinstates the Council's prior decision to withdraw approval. That removal is effective on December 17, 2019, the day following the end of the fall semester's final exam period.

As provided by Rule 29, the Law School must submit a teach-out plan for review by the Council. Preparing a plan that addresses the concerns outlined in Rule 29 and that appropriately considers the interests of the students will take some time. The details of that plan are not public. The Council expects and the Law School has stated its intention to communicate, as necessary and appropriate, with the Law School's students throughout the period of developing the teach-out plan.