



# The State Bar *of California*

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**OPEN SESSION  
AGENDA ITEM  
JANUARY 2020  
COMMITTEE OF BAR EXAMINERS ITEM O-405**

**DATE:** January 31, 2020

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

**FROM:** Natalie Leonard, Principal Program Analyst

**SUBJECT:** Action on Request for Major Change – John F. Kennedy University College of Law Online J.D. Program

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## **BACKGROUND**

John F. Kennedy University College of Law (JFKUCOL) has filed the attached Major Change Request in conformity with Rules 4.164 and 4.165, seeking permission from the Committee of Bar Examiners (Committee) to offer a fully online J.D. program in addition to its fixed facility classroom program.

Historically, State Bar accredited law schools were limited to offering no more than twelve online credits as part of a student's J.D. program.

This changed in May 2019, when the State Bar of California Board of Trustees ratified and released amended Rules and Guidelines allowing accredited law schools to use the Major Change process to seek permission to deliver their J.D. programs fully online, in a hybrid online/classroom format, or via fixed facility classroom.

Pursuant to Rules 4.164 and 4.165 a major change request "must explain in detail any effect the change might have on the law school's compliance with the rules." When a law school increases its online offerings, it must maintain compliance with all of the Rules for Accredited Law Schools (Rules) and Guidelines for Accredited Law School Rules (Guidelines), including those Rules and Guidelines related to Academic and Scholastic Standards, and establish that the law school has the infrastructure and capacity to support the change.

## **DISCUSSION**

### **History**

JFKUCOL is a State Bar accredited law school located in Pleasant Hill, California that has been fully accredited since 1981. The school is part of John F. Kennedy University, a non-profit corporation located in Pleasant Hill, California that is also an affiliate of the National University System based in San Diego. JFKUCOL was last inspected in 2017, and the inspection report was positive. The school's Minimum, Cumulative Bar Passage Rate is above forty percent: its 2018 MPR was 48.8 percent, while its 2019 MPR was 44.4 percent. During the July 2019 California Bar Examination, the school's pass rate for that single examination was six percent, or two out of thirty-one, so the school will need to place continued focus in this area to maintain its MPR compliance. Because the school is currently in compliance, the Committee can proceed with the school's application.

### **John F. Kennedy University has significant experience designing online education programs in other disciplines**

John F. Kennedy University already offers online degree programs in other disciplines. Development of the online J.D. is already underway through a partnership between JFKUCOL and National Educational Partners (NEP), an in-house project management and learning management consultant at the University. NEP will work with subject matter experts to design and implement the online J.D. course offerings, as it has for other degree programs at the University.

### **JFKUCOL's proposed online J.D. program**

JFKUCOL's online J.D. program will use the same course structure and progression utilized in the classroom J.D. program, but the school will also leverage the unique capabilities of online delivery for the online versions of its classes. Each online class will include not only the required case book readings, and lectures, but also pre-tests, interactive video lectures, online discussions, intermediate written assignments, and post-tests.

### **JFKUCOL's online J.D. proposal complies with the Rules and Guidelines**

The school's proposed online J.D. program includes the required amount of academic engagement and credit hours, properly verified, including practical skills training opportunities.

The school appears capable of implementing the proposed online J.D. program due to the University's significant experience in delivery of online education. Therefore, the additional investment required to create the online courses cost is modest, and the infrastructure exists to provide students with the appropriate access to classes, academic support and administrative services.

### **The program complies with Guidelines 6 and 7 applicable to the format of online education**

Under Division 6, Academic Program Guidelines, JFKUCOL “must maintain a qualitatively and quantitatively sound program of legal education” that includes at least twelve hundred hours of verified academic engagement. This translates to eighty credits, with each credit requiring at least fifteen hours of verified academic engagement plus thirty estimated hours of preparation. (Guideline 6.5 A-B)) These twelve hundred hours do not include untracked homework time. JFKUCOL’s online J.D. program will require eighty-two credits or 1,230 hours of verified engagement. The time and effort required for each credit was evaluated by subject matter experts for the classroom version of the courses and will be further evaluated by subject matter experts working in conjunction with NEP to design the online courses.

Under Division 7’s Scholastic Standards, verification of at least twelve hundred hours of academic engagement must be conducted via reliable means. (Guideline 7.11) JFKUCOL will verify online academic engagement using the standard engagement tracking feature of its learning management software, D2L, which will measure the time that each student spends viewing lectures or engaging in other online activities that are part of the course requirements such as engaging with interactive videos or taking pre-tests and post-tests. Examinations will be proctored using Examity’s multi-factor electronic identification and monitoring.

### **The proposed online J.D. program provides the required opportunity to offer fifteen hours of practice-based skills**

“[A] law school must provide the opportunity for students in the J.D. degree program to complete a minimum of fifteen (15) units of practice-based skills and competency training. (Rule 4.160(F), Guideline 6.9(A)(1))

JFKUCOL’s curriculum will offer the opportunity to take as many as twenty-three credits of practical skills training within the online curriculum. The school also requires a one-credit public interest practical skills project, and makes internships available for school credit. Both classroom students and online students will generally find their own placements for both the required public interest practical skills course and any optional internship. Students can seek assistance from the Director of Clinical and Public Interest Law Programs if needed when setting up an internship. JFKUCOL’s internship opportunities require advance approval, monitoring by faculty to ensure substantive legal content and quality, submission of work samples, and a supervisor’s evaluation.

### **The school will support the program with a compliant library, financing and infrastructure**

The school must also have adequate infrastructure, including an appropriate library, technical infrastructure and sufficient financial resources, to implement the required changes. JFKUCOL appears to be prepared to provide all of these.

Division 8 Library Requirements can be fulfilled by making either physical or electronic volumes available to the students. Here, JFKUCOL offers Westlaw and LexisNexis to all students. For

students who cannot access the school's hard copy volumes that may be needed occasionally, the Dean will apply to the Committee to allow students to access their local community law libraries as described under Guideline 8.4.

Division 9 Physical [and Infrastructure] Resources will also be compliant when the school adds an online program. Because the school's parent university already offers other online degree programs and support services using the same platform, the law school should have the support it needs to implement the new program successfully. The school's D2L learning platform also provides 24-hour technical support if students should experience difficulty.

Division 10 Financial Resources must be "adequate . . . to support [the school's] programs and operations . . . including all services it claims to provide." JFKUCOL believes that the program will be at least revenue neutral if the school enrolls approximately twenty to twenty-five additional students per year.

### **The school has extensive measurement capabilities to evaluate the online program**

The school collects a wide range of data in Taskstream software and conducts a number of self-analyses each year. Some of these analyses were used to inform the design of the school's proposed online J.D. program. In general, the school found that it needed to incorporate more writing opportunities and feedback on that writing. As a result, practical written assignments were added to the Civil Procedure course based on the data. The school will be monitoring student results as the program rolls out.

### **RECOMMENDATION**

Because JFKUCOL's proposed online program will comply with all Rules and Guidelines, the school's Request for a Major Change to add a fully online J.D. program should be approved.

The school's parent university already has the technology and experience in place to offer online degrees and student services, and the school has shown that its program will be compliant with the Rules and Guidelines. In fact, the school detailed the program's impact and compliance for each Guideline as part of its application, exceeding the documentation requirement for a major change.

It is recommended that this Major Change request be approved effective immediately. It is further recommended that, within ninety days of Committee approval, the school be required to advise the Committee of the date that it intends to begin offering the online J.D. program and that the school include in its 2020 Annual Report a progress report discussing the status of the online J.D. program.

## **PROPOSED MOTION**

If the Committee agrees with this recommendation, the following motion is suggested:

Move that John F. Kennedy University College of Law's Request for a Major Change allowing a fully online J.D. program be received and filed; that the request be granted effective immediately; that, within ninety days of committee approval, the school be required to advise the Committee of the date that it intends to begin offering the online J.D. program; and that as part of the school's 2020 Annual Report, the school should include a progress report regarding the status of the program.

**Attachment A:** John F. Kennedy University College of Law's Application for Major Change – Online J.D. Program

**John F. Kennedy University, College of Law  
Major Change Request  
Online Juris Doctor Program**

**INTRODUCTION:**

Pursuant to Rule 1.165 of the Accredited Law School Rules, John F. Kennedy University (JFKU) is notifying the Committee of Bar Examiners (Committee) of this Major Change Request and seeks approval by the Committee. The Major Change request is to offer JFKU's currently-accredited JD program 100% online beginning in the fall semester (August 2020).

**APPROVALS OF ONLINE J.D. PROGRAM**

The content, curriculum, outcomes, and proposed budget have been reviewed and approved by the Academic Curriculum and Assessment Committee of the Faculty Senate, the Faculty Senate Executive Board, and the University President. (*Internal approvals attached as Exhibit A*). JFKU is an accredited WASC Senior College and University Commission (WSCUC) institution. Given the institution's capacity to offer online programs in other disciplines, WSCUC requires only a staff review (rather than full committee review) of the proposed online J.D. Our proposal to offer an online J.D. was submitted to WSCUC on October 16, 2019. Once we receive a response to our proposal, we will forward said response to the Committee.

**PROGRAM OVERVIEW:**

The Juris Doctor Program in the College of Law seeks approval to offer this degree program 100% online, starting with our fall 2020 class. The curriculum which make up the degree, the faculty and administration, our admission standards, and course scaffolding will largely remain the same as it currently exists in the on-ground program.

Below is a description of how JFKU's proposed online J.D. program aligns with our program philosophy, as well as the State Bar's mission and goals. Additionally, our adherence to the Rules and Guidelines will be maintained as set forth below.

***a. Description and Alignment of Program Philosophy***

This program, currently offered by JFKU, is aligned with the population served by JFKU and the online modality. For 54 years, JFKU has provided an opportunity for a quality legal education to students seeking a supportive, rigorous program that stresses practical skills training and sound preparation for the California Bar Examination, and those who meet the program admission criteria, yet might otherwise be excluded from traditional law schools. We have met this goal for the last several decades via our evening, part time program, as well as holistic admission criteria. Offering an online J.D. continues to advance our philosophy as it offers even greater

flexibility and accessibility in terms of cost and location to those students who would otherwise struggle to access education necessary to enter the profession.

JFKU's primary objective is to continually improve the JD program to better ensure student learning of the skills, knowledge, and values needed to become effective legal practitioners. As part of the program's continual improvement, our assessment of learning outcomes supports our conclusion that our students need additional learning opportunities and greater formative feedback throughout the program. The online modality will allow JFKU to enhance students' direct engagement with course content on a regular basis, and to receive consistent, highly-individualized feedback throughout each course.

### ***b. Curricular Design and Nomenclature***

The curriculum will mirror our current on-ground offering. We will offer a 15-week cohort model, accepting new students in fall and spring quarters, as we do under the current model. The scaffolding of courses will remain the same, with theory and practical application throughout. With regard to pedagogical method and instructional theory, the online curriculum will be enhanced with problem-based learning, rather than an exclusively Socratic approach, providing students with the opportunity to apply their understanding to real world scenarios. The content will be a mix of video, readings, and other learning resources to form a complete picture of the substantive or procedural areas covered. Assessments of course learning objectives will require students to actively engage with course content, including interactive video lectures, student to student contact via discussions, and instructor to student contact/feedback on their understanding of the course material weekly.

The degree nomenclature will remain a Juris Doctor (J.D.).

### ***c. Alignment with State Bar Mission and Goals***

JFKU's request for approval of a fully online J.D. program aligns with and advances the mission of the State Bar, with particular emphasis on increasing both the diversity of the profession and increasing access to justice to underserved populations in California. See, <https://www.calbar.ca.gov/About-Us/Our-Mission> ("Mission"), <http://www.calbar.ca.gov/Portals/0/documents/reports/Diversity-Inclusion-Plan-Report.pdf> ("Diversity Plan"), and <http://www.calbar.ca.gov/Portals/0/documents/accessJustice/Attorney-Desert-Policy-Brief.pdf> ("Access to Justice").

One of the great advantages of the online modality is that it instantly creates access to law school for people in areas that are not otherwise served by a brick and mortar school as well as for people who do not have the wherewithal (financial or otherwise) to move to large cities with law schools (and a higher cost of living). Providing access to qualified applicants from these communities will not only increase access to justice for those communities, but will also

increase the diversity of those practicing law throughout the state- two of the stated goals of the State Bar.

*Online Modality Will Increase Access to Justice by Helping to Ameliorate “Attorney Deserts”*

In its July, 2019 report entitled “California’s Attorney Deserts: Access to Justice Implications of the Rural Lawyer Shortage” (“Access to Justice”), the California Commission on Access to Justice investigated “attorney deserts,” defined as areas where too few (or no) attorneys live and work resulting in unmet legal needs for the residents, because “[o]ne measure of access to the legal system is access to an attorney” and concluded that “[m]assive parts of rural California are attorney deserts. This creates problems of access to justice, primarily in high poverty areas” (Access to Justice, p.7).

*Law Schools Can Help Decrease the Rural Lawyer Shortage*

The Commission called attention to the “critically important role” that California law schools can play in solving this problem and encouraged legal educators to “think about their student pipeline, in particular applicants who hail from rural areas” because, as the Commission noted “those who grew up in rural places are generally more likely to return there” and “many graduates of Cal-accredited schools, especially those located in rural areas, tend to stay and practice in those locales.” (Access to Justice, pg. 12) One way, then, to increase the number of attorneys serving rural communities is to allow students from rural areas to remain in those communities during law school.

JFKU’s online J.D. is intended, in part, to do just that- increase access to law school to qualified applicants regardless of where they are located. With only a handful of exceptions, almost all of the law schools in California are located in urban areas, forcing students from rural areas to leave their communities behind in order to attend an accredited law school. Having an option of attending an accredited J.D. program offered online will allow students to stay in their communities and continue working while attending law school. According to the findings of the Commission, this should result in an increase in attorneys from rural communities staying and practicing in those communities as well.

*The Online Modality Results in Less Overall Student Debt*

The Commission also noted the challenges caused by increasing student debt, a problem made worse by the fact that jobs in rural areas presumptively pay less than those in a metropolitan environment. (Access to Justice, p. 9). This makes it very difficult for attorneys from rural and underserved areas to go back to their communities to practice.

The online modality will allow students to incur far less student debt than the traditional law school model, thus increasing access to law school to students with less financial resources. One of the primary goals of offering an online J.D. is to reduce the cost of a legal



education. JFKU's tuition is currently \$82,000.00, which is expected to be decreased when offered online. Additional cost savings will be realized via electronic texts embedded into the learning management system, as well as both cost of living and cost of commuting for those not in the immediate area.

*The Online Modality Will Increase Diversity in The Practice of Law*

Currently there are numerous, qualified people throughout the State of California who do not pursue the practice of law. This is not because of a lack of desire, but rather due to the cost of legal education and the need to move away from their families and communities if they choose to attend. Greater access to law school for these populations through an online program cannot help but change the demographics which make up of our law students and, later, California lawyers.

*The Online Modality Will Yield Data Consistent with The State Bar's Goals*

Finally, the State Bar's Diversity Plan states that over the next two years, it will be focused on, among other things, examining the disproportionate attrition rate of diverse students in law school, collecting and analyzing statewide data to identify systemic issues that need to be addressed, and developing programs to address them. (Diversity Plan, p. 2). Not only is the online modality a potentially systemic solution to some of these problems, but it will also generate numerous data that can help the State Bar track and understand the needs, learning processes and success or failure of its students. By its nature, the online modality will yield a tremendous amount of data and information that is not available in the traditional law school format. Consistent with its duties of confidentiality, John F. Kennedy University's College of Law will be in a position to share much of that data with the State Bar, offering insights into the learning process and successes of many previously underrepresented student populations.

**JFKU's PLAN FOR ONLINE DEVELOPMENT:**

The online J.D. program will be developed as a system-wide partnership between the College of Law Dean, core faculty, selected adjunct faculty, and NEP (National Education Partners). NEP is an in-house online program management team that will support John F. Kennedy University's implementation of a fully online Juris Doctor program. NEP will provide expertise and services in the areas of Learning Management System (LMS) deployment, Instructional Design, Academic Technology, Faculty Training and Online Pedagogy/Andragogy, and end user 24/7 helpdesk. These resources will include the LMS infrastructure, Instructional Design, EX Design and Student Experience, Faculty Training and Development, and Technical Support. (*Attached as Exhibit B is the Statement of Work between JFKU and NEP*). As the online program managers, additional NEP support will include marketing, enrollment, and student services assistance.

The development of the first-year courses began in October, 2019, with JFKU faculty working with NEP to embed instructional design on the LMS. The development of second and third year courses will follow in early 2020.

Our conservative enrollment projections are as follows:

<b>JD ONLINE</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>
Annual New Enrollments	20	24	24
Ending Annual (total) Population	16	34	49

**These enrollment projections assume a retention rate of 85% the first year, and 80% in years two and three. Additionally, these enrollment projections will allow for the program to be self-sustaining within the institution.**

### **COMPLIANCE WITH THE GUIDELINES**

#### ***Division 1: General Provisions.***

No changes will be made with respect to our current policies and procedures under Division 1.

#### ***Division 2: Honesty and Integrity***

No changes will be made with respect to our current policies and procedures under Division 2.

#### ***Division 3: Governance***

No changes will be made with respect to our current policies and procedures under Division 3.

#### ***Division 4: Dean, Full-Time Administrator, and Faculty***

No changes will be made with respect to our current policies and procedures under Division 4.

#### ***Division 5: Admissions***

No changes will be made with respect to our current policies and procedures under Division 5.

#### ***Division 6: Academics***

No changes will be made with respect to our current policies and procedures under Division 6, sections 6.1-6.4.

#### ***Guideline 6.5 Quantitative Academic Requirements***

Pursuant to **Guideline 6.5 (A)**, the minimum requirement for the J.D. Degree is the satisfactory completion of a course of study requiring 1,200 hours of verified academic engagement. In

pertinent part, **Guideline 6.5 (B)** states that “academic engagement” includes instruction in a compliant Juris Doctor degree curriculum offered through any of the following means: ...(b) student participation in a synchronous or asynchronous curriculum offered through distance-learning technology.

The online J.D. Program requires a student to successfully complete 82 units. Our 3-unit courses will require 45 hours of academic engagement. Our 2 unit courses will require 30 hours of academic engagement, and 15 hours of academic engagement will be required for our 1 unit courses. The number of hours of academic engagement in our currently offered, on-ground program remain the same in the proposed online J.D. program. We expect the student/instructor ratio to be no greater than 20:1, which is smaller than our current ratio. The online ratio takes into consideration that, instead of holding face to face sessions each week primarily using the Socratic method to gain student understanding of the material, the online pedagogical model will involve greater assessment of *individual* student learning on a weekly basis, with required discussions and problem solving assessments and consistent and substantive instructor feedback.

The full-time faculty and College of Law Administration have developed a plan for online course development that ensures 1,200 hours of verified academic engagement, and includes weekly student to faculty and student to student engagement opportunities. Unverified academic engagement, such as case book readings, case briefing, outlining of course material and study time in groups or alone will continue to be required for student success. Weekly course design, with anticipated verified engagement hours, for the courses is below:

- a. Required case book readings
- b. Pre-test on material covered in readings
- c. Interactive video lectures with questions to elicit student understanding throughout
- d. Online discussions
- e. Written problems wherein students will be forced to spot issues and perform legal analysis with individual instructor feedback
- f. Post-test on weekly material

**Weekly verified academic engagement for a 3-unit course:**

Academic Engagement	Time Estimate	3 unit course
Interactive Video Lecture	1 hour	Student-faculty engagement
Online Discussions	45 min	Student-student engagement

		with instructor feedback
Written analysis problems	1 hour	Student- faculty engagement
Post Test	15 min	Student- faculty engagement

**Weekly verified academic engagement for a 2-unit course:**

Academic Engagement	Time Estimate	2 unit course
Interactive Video Lecture	45 min	Student- faculty engagement
Online Discussions	30 min	Student- student engagement with instructor feedback
Written analysis problems	1 hour	Student- faculty engagement
Post Test	15 min	Student- faculty engagement

- For MBE tested subjects, an additional 20 min per week of MBE simulation will be required.
- For Professional Responsibility, an additional 20 min per week of MRPE questions will be required.

**Weekly verified academic engagement for a 1-unit course:** *Note, the 1-unit courses are electives offered throughout the curriculum on specific areas of law not covered on the CA Bar Examination and are meant as survey courses*

Academic Engagement	Time Estimate	1 unit course
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Interactive Video Lecture	30 min	Student-faculty engagement
Online Discussions	30 min	Student-student engagement with faculty feedback

### **Unverified Academic Engagement – Student Preparation**

Expected unverified academic engagement hours per week will not change in the online modality. Students are expected to spend at least three hours per course unit preparing for class. For a three-unit course, students are expected to spend at least nine hours per week in preparation, six hours per week for a two-unit course, and at least 3 hours for a one-unit course. Unverified academic engagement includes case book readings, content review and outlining, preparing case briefs and written assignments, and study of the material. Where unverified academic engagement is conducted within the online platform (i.e., embedded case books, outlining tools, time spent within the course content etc.), the average time students spend in preparation will be tracked and reviewed annually. Since our inception, all faculty have been required to assign readings and other preparatory work to students which, in our estimate, takes them the number of hours required per unit for outside-of-class preparation. This requirement will not change and all syllabi will continue to be checked and reviewed to ensure adequate preparatory time is required within each course, each week.

### **Exams**

Each doctrine course will have a final exam, which will be proctored. JFKU uses Examity to proctor online exams which will ensure 1) authenticity of the student taking the exam, and 2) protect the integrity of the exam against cheating. To ensure authenticity of the examinee, students will create their Examity profile. During this process, a student uploads a government-issued photo ID (such as a passport or driver's license), answers security questions, and enters their first and last name. This information acts as the signature proctors use during the authentication process. All information is encrypted and stored on servers residing in the United States. JFKU and Examity hold strict security standards, and the information is only used during the authentication process. Once the student is authenticated, the proctor watches the student during the exam to ensure no outside resources (e.g., online, notes, people) are utilized. Pursuant to and **Guideline 2.7 (5)**, grading of all exams will continue to be anonymous.

### **The Online JD courses are below:**

#### **Required JD Courses**

FIRST YEAR COURSES		
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Law 112A	Torts A	3
Law 115A	Contracts A	3
Law 117	Legal Methods	3
Law 112B	Torts B	3
Law 115B	Contracts B	3
Law 125	Legal Research & Writing	3
Law 120	Criminal Law	3
Law 318	Criminal Procedure	3
SECOND YEAR COURSES		
Law 214A	Civil Pro/Skills A	3
Law 216A	Evidence A	3
Law 214B	Civil Pro/Skills B	3
Law 216B	Evidence B	2
Law 310	Trial Advocacy	3
Law 212A	Real Property A	3
Law 320A	Con Law A	3
Law 212B	Real Property B	3
Law 320B	Con Law B	3
THIRD YEAR COURSES		
Law 315	Wills & Trusts	3
Law 418	Professional Responsibility	2
Law 425	Business Associations	3
Law 313	Community Prop	2
Law 420	Remedies	3
Law 428	Advanced Legal Writing	2
<i>Electives</i> <i>(17 units needed)</i>		65 units
		17 units

**Guideline 6.5 (C)** requires regular and punctual attendance in academic engagement. The online J.D. will require not less than 80% of the minimum number of hours required for academic engagement required in each course. This amount will be calculated via data establishing the on-time completion of all class elements, including the viewing of lectures, class discussion participation, written problem exercises, MBE's (where appropriate), and post-test completion.

**Guideline 6.5 (D)** Curriculum, is set forth above.

**Guideline 6.5 (E – N):** No changes will be made with respect to our current policies and procedures.

**Guideline 6.6 Externship, Clinical, Law Review, and Similar Programs:**

JFK supports experiential learning as a proven way to reinforce academic learning and to prepare for the practice of law. Through our Internship Program, students have an opportunity to engage in legal work under the supervision of a qualified attorney, judge, government agency, or public interest organization. Through this work, students gain insight into the law and legal processes and see the practical application of doctrine and skills taught in the classroom. Students will continue to be required to complete a minimum of one unit (60 hours of legal work) in a public interest internship, performed in an office or agency whose primary function is to provide legal services to underserved populations, to address significant issues of social justice, or otherwise to improve the administration of justice. Students are encouraged to participate in additional internship opportunities geared towards their professional interest and geographical location. No more than eight units of off-campus internship will be applied to the degree. Additionally, students enrolled in our Public Interest Law Program, which will continue, must earn at least six units (360 hours) of public interest internship work as part of the program.

Students will be responsible for finding and securing their own placement, with the assistance and advice of the Director of Clinical and Public Interest Law Programs. Once a placement is found, approval is obtained through the student's submitting the "Request for Permission to Enroll in Law 625" form, completed in its entirety, including the signature of the supervising attorney. Once approved by the Internship Director, the student may register. During the course of the semester, the student is required to maintain signed Time Logs on a weekly basis, and submit them monthly in a timely fashion. At the conclusion of the semester the student must submit at least two writing samples, which may include research memoranda, motions, correspondence (such as opinion/demand letters) or such other writing samples as demonstrate work performed during the placement. Additionally, the student or their supervisor submit a completed and signed Supervisor's Final Intern Evaluation Form.

Throughout this process, the placement will be monitored by the Director of Clinical and Public Interest Law Programs. This monitoring involves regular communication with the participating student, as well as intervention with the supervising attorney as necessary, to ensure compliance with JFKU internship policy requirements. These include that:

- The internship position is providing the student with practical experience relevant to the study of law. While all placements involve some clerical and administrative tasks, a substantial majority of the work performed in placements must engage in substantive legal activities under the supervision of an attorney, such as legal research, legal drafting, client contact, discovery, negotiations, and witness interviewing. Time spent on administrative, clerical or secretarial tasks may not be counted toward completion of required hours if consisting of more than a small percentage of the work.
- The student work is properly supervised by an experienced attorney, judge or court commissioner. Generally, the supervising attorney should be a currently licensed member of the California Bar in good standing, unrelated to the student, who has been in practice for at least five years.
- The student has completed the required number of hours.

#### **Guideline 6.7 Content of Curriculum**

Guideline 6.7 mandates that a school must design its curricular offerings, units per course, and requirements for graduation in a manner consistent with **Rule 4.160C and Guideline 6.1**. The online J.D. includes all subjects tested on the California Bar Examination, offered annually. Additionally, a course in Professional Responsibility will continue to be required.

#### **Guideline 6.8 Balanced and Comprehensive Course of Study**

The courses set forth above are to be taken in sequence. Students will be required to take 17 units of elective units to fulfill the 82-unit degree requirement.

#### **Guideline 6.9 Practical Skills**

**Guideline 6.9 (A)** requires that schools provide the opportunity for students to complete a minimum of fifteen (15) units of practical-based skills and competency training. The online J.D. exceeds this requirement by offering up to 23 units as follows:

Clinical/Externship – 8 units

Legal Methods – 2 units

Trial Advocacy – 3 units

Legal Research & Writing- 3 units

Advanced Legal Writing – 2 units



Moot Court – 2 units (if student competes on the Traynor competition team, 3 units)

Civil Procedure- 1 unit

Contract Drafting – 2 units

#### **Guideline 6.10 Student Interaction**

The online J.D. will include numerous opportunities for student to student interaction. All courses will include discussion questions wherein students will engage in academic dialogue by posting and replying to one another regarding doctrine, monitored by faculty. Additionally, at the beginning of the program, all students will be required to attend a weekend orientation session on campus to meet the faculty, cover the program and university policies and procedures, and attend an introduction to law seminar. In the summer of their second year, students will be required to attend a weekend trial, following their online Trial Advocacy course. Students will have an opportunity to engage with one another in our travel abroad program such as our Trial of Socrates course. Additionally, students enrolled in our on-campus clinics will travel to campus to interact with supervising faculty and each other. Finally, where the curriculum dictates, courses will host some class sessions synchronously wherein students and faculty can engage with one another on course content.

#### **Guideline 6.11 Required Examinations**

No changes will be made with respect to our current policies and examination practices, other than our use of Examity as our proctoring mechanism. All courses, except those requiring substantial oral or written work, will have final examinations testing student knowledge and ability for advancement.

#### **Guideline 6.12 Restrictions on Use of Past Examinations**

No changes will be made with respect to our current policies and procedures.

#### **Guideline 6.13 Examination formats; Evaluation of Examination Effectiveness**

No changes will be made with respect to our current policies and procedures. All Examinations will involve both essay questions and MBE-style multiple choice questions. The College of Law Dean and full-time faculty will continue to review all examinations in advance of them being given to ensure they will test the students' ability and knowledge of the fundamental principles of the course.

#### **Guideline 6.14 Grading Standards**

No changes will be made with respect to our current policies and procedures.

#### ***Division 7: Scholastic Standards***

No changes will be made with respect to our current policies and procedures.

#### ***Division 8: Library Requirements***

No changes will be made with respect to our current policies and procedures. All required materials will be accessible online and students will be provided both Westlaw and Lexus access as they are currently. Additionally, students will continue to have access to hard copies of legal research materials via the on-campus library, including California Reporters, California Codes, Matthew Bender, and The Rutter Practice Guide. If students outside of the regional area enroll, the Dean will ensure **Guideline 8.4** is satisfied via a public law library within their regional area and will file the appropriate declarations attesting to their permission to use said library for hard copy legal research needs and seek approval from this committee.

#### ***Division 9 Physical Resources***

**Guideline 9.1** requires that a law school have physical and technological resources in an infrastructure adequate for its programs and operations. There will be no changes made to our physical structure in the online J.D. The administrative office and technology platform will be maintained in California as required by this guideline.

**Guideline 9.3** requires a school to have and maintain instructional equipment and distance learning technology that is adequate to support its educational program. The online J.D. will utilize the Desire to Learn (D2L) platform. The D2L platform is one provided by an industry-leader in Learning Management Systems (LMS), and is now used by over 1200 schools, colleges, universities, and businesses around the world. Since the program is online, support for the platform is provided 24 hours a day to ensure that, should students run into infrastructure concerns while attempting to complete their coursework, they can receive resolution in that session and complete on time as scheduled. In addition to immediate service support to redress any issues, there are monthly and bi-weekly meetings to continue to refine and improve the experience and platform.

#### ***Division 10 Financial Resources***

##### **Guideline 10.1 - 10.3**

No changes will be made with respect to our current policies and practices governing financial resources. JFKU's 2019 Annual Compliance Report and related financial disclosures was submitted to the State Bar.

#### ***Division 11 Records and Reports***

No changes will be made with respect to our current policies and procedures. Our Annual Compliance Report has been submitted. Pursuant to **Guideline 11.1 (O) (2)**, the College of Law has an extensive assessment process. Attached as Exhibit C is our Curriculum Map, which articulates the alignment between the courses and program learning outcomes. Also attached as Exhibit D is our 5-year assessment plan. Consistent with University practice, each academic year one or more PLO's are chosen by faculty to be assessed at the summative level. At least two direct student artifacts are collected and assessed against a faculty developed rubric. Annual results are captured in an Annual Assessment Report and provided to the Committee on Assessment and Program Improvement (CAPI), a committee of the Faculty Senate. University faculty review the reports and provide feedback to each program on their assessment process, results, and alignment of results to offered curricular changes. Each PLO has signature assignments intended to assess student learning and will be included in the assessment of the appropriate PLO within a 5-year period.

In addition, the JD Program will undergo a scheduled five-year program review (program self-study), which aligns with the timeline for the State Bar's self-study. The internal five-year self-study includes annual PLO assessment data, including results and programmatic changes flowing therefrom, program need and alignment with mission, faculty quality, and graduate success. Self-studies help to provide a clear picture of student learning within the program, and the identification of any needed programmatic changes to program leadership, faculty, and curriculum.

All data are maintained in Taskstream and used for continuous improvement, strategic planning, and budget allocations.

The Juris Doctor's assessment results have been considered in the development of the online degree. For example, legal analysis has been assessed twice in the past 5 years wherein the results indicate a significant need for more writing opportunities throughout the curriculum. Currently only three legal writing and analysis courses exist (Legal Methods, Legal Research and Writing, and Advanced Legal Writing). In the proposed program, writing is required across the curriculum with legal analysis and writing are embedded into each course, requiring students to analyze legal issues against law via written problems due each week. This will allow for students to reinforce their learning of legal doctrine, as well as continually work on their legal writing/analysis skills. Faculty will provide feedback on both their knowledge of the law and ability to analyze and apply it in all courses. An additional finding stemming from our assessment of legal analysis and written communication included embedding more practical written work into Civil Procedure. The online program will include such opportunities in this course, as well as others, as articulated in the practical skills section above. Finally, knowledge of legal doctrine has been difficult for faculty to assess outside of course grades in bar tested subjects, and actual bar exam results. In the online program, MBE's will be required throughout each course, forcing students to be tested on legal doctrine, using prior bar questions, throughout the program.

***Division 12 Minimum, Cumulative Bar Examination Pass Rate***

No changes will be made with respect to our current policies and procedures. Our MPR currently stands at 44.4%.

***Division 13 Awarding of Professional Degrees in Addition to the JD Degree***

If the University decides to offer any professional law degree in addition to the J.D., the University will seek prior Committee approval in accordance with this guideline.

***Division 14 Equal Opportunity and Non-Discrimination***

No changes will be made with respect to our current policies and procedures.