



The State Bar of California

OPEN SESSION
AGENDA ITEM O-404
DECEMBER 2020
COMMITTEE OF BAR EXAMINERS

DATE: December 4, 2020

TO: Members, Committee of Bar Examiners

FROM: Natalie Leonard, Principal Program Analyst

SUBJECT: Action on Petition for Acquiescence to a non-JD Program – Concord Law School Executive JD

EXECUTIVE SUMMARY

Concord Law School (Concord) has submitted this application to the Committee of Bar Examiners (Committee) seeking the Committee's continued acquiescence to its Executive JD Program (E.JD). This professional law program was launched in 1999 with Committee acquiescence. Though the school is not changing the program, Concord is required to renew its request for continued acquiescence due to the law school's recent transition from unaccredited to accredited status.

Because the program has been operating in compliance with State Bar guidelines for a period of years without detracting from the JD program, it is recommended that the Committee provide its continued acquiescence to the E.JD program.

BACKGROUND

Concord has submitted a complete Application for Continuing Acquiescence to a Professional Law Degree Program seeking continued acquiescence for its non-bar qualifying E.JD program. The request is made pursuant to rules 4.105(K), 4.164 and 4.165(E) and guideline 13 of the Rules for Accredited Law Schools (rules) and Guidelines for California Accredited Law School Rules (guidelines).

To offer a professional degree in addition a JD degree, an accredited law school "must apply for Committee acquiescence to a professional law degree program and provide the Committee any

other information it requests to assist it in evaluating the proposal for a professional law degree program” under Guideline 13.2(A). Here, Concord has submitted a completed application and the appropriate fee.

The Committee’s “acquiescence in a law school’s professional law degree programs other than for the Juris Doctor degree is not, and law schools must not represent it to be, approval of the quality of any such program.” Concord agrees to this term.

Instead, the law school “must demonstrate to the satisfaction of the Committee that its proposal complies with the program requirements adopted by the Committee,” and that “receiving acquiescence to grant a professional law degree in addition to the Juris Doctor will not detract from the law school’s ability to maintain its Juris Doctor Degree program in compliance with the Rules and . . . Guidelines [for California Accredited Law Schools]. The law school must also agree to include disclosures and compliance terms enumerated in guidelines 13(C), 13.3, and 13.4 in communications and enrollment agreements. Here, the Concord has operated the program for many years without issue, and agrees to continue to provide all required disclosures.

DISCUSSION

Concord is a newly accredited law school offering its JD program through distance learning. The law school was last inspected in March 2020 and found to be in compliance with all accredited rules and guidelines. As a result, the school transitioned from unaccredited to accredited status effective August 21, 2020. Concord’s next inspection is scheduled to take place in 2025.

The E.JD program is proposed to continue in the manner in which it has been operated since 1999. Compared to the JD program, the admissions standards are relaxed, and the cost for tuition is less than that of the school’s JD program.

The E.JD degree program is a three-year professional law degree program whose purpose, according to the school, is to provide students with a deeper understanding of American law and jurisprudence and to develop skills to enhance or shift their current careers without becoming practicing attorneys. The program does not qualify students to sit for the bar exam. The program’s curriculum consists of 72 units, up to 40 of which may be electives, which is fewer than the JD program requires. The time to complete the E.JD program can be extended based on an individual student’s needs, and this is often done when a student would like to take more electives in a particular subject matter area. Students enrolling in the E.JD program are required to have earned a Bachelor’s Degree, but are not required to take the LSAT.

Students in the E.JD program attend classes alongside regular JD students, and they are also required to take an additional course that is not required of JD students, Cross Professional Ethics. Students in the E.JD program may choose to specialize in one of four “concentrations” (Business Law, Education Law, Health Law, or Law and Technology).

Concord has agreed to continue to comply with all required procedures and disclosures enumerated in guidelines 13.2(E), 13.3, 13.4 and 13.5. This includes “operating the degree programs in compliance with any terms, conditions and restrictions set by the Committee” and “including a specific statement, without alteration, in its course catalog and on the principal page of its website” regarding the fact that these programs do not qualify a student to take any bar exam, and addressing all prospective students to these materials containing such disclosures.

DISCUSSION

Since 1999, Concord’s E.JD degree program has operated successfully without detracting from the law school’s JD program.

Concord has always agreed, and plans to continue to agree, to conduct the E.JD program in accordance with the Committee’s conditions and required disclosures. The law school also appears to have sufficient resources to operate this program without negatively impacting its JD program, as it has been doing for over twenty years. The school’s online class delivery software and administrative support are adequate to serve both JD and E.JD students, and faculty can accommodate E.JD without negative effects on the JD students. Grading of JD students is not affected because students are graded against Concord’s objective grading scale and not in relation to their fellow students on a curve.

Thus, it appears that Concord has made the requisite showing “to demonstrate to the satisfaction of the Committee” that the proposed E.JD will not “detract from the law school’s ability to maintain its Juris doctor degree program in compliance with the *Rules* and these guidelines.”

RECOMMENDATION

It is recommended that the Committee provide its continuing acquiescence in the E.JD program in order to allow Concord to continue to offer this program.

FISCAL/PERSONNEL IMPACT

None

AMENDMENTS TO RULES OF THE STATE BAR

None

AMENDMENTS TO BOARD OF TRUSTEES POLICY MANUAL

None

STRATEGIC PLAN GOALS & OBJECTIVES

Goal: None - core business operations

RECOMMENDATIONS

It is recommended that the Committee provide its continued acquiescence in Concord's E.JD program, a non-bar qualifying program.

PROPOSED MOTION

Should the Committee of Bar Examiners agree with staff recommendation, the following motion should be made:

MOVE, that Concord Law School's Application for Acquiescence to its Executive JD program, a non-bar qualifying program, be received and filed, and that the request for continuing acquiescence be granted.

ATTACHMENT(S) LIST

- A.** Concord Law School Application for Acquiescence



The State Bar of California

OFFICE OF ADMISSIONS

CALIFORNIA ACCREDITED LAW SCHOOL APPLICATION FOR ACQUIESCENCE TO A NON-J.D. PROFESSIONAL LAW DEGREE PROGRAM

A. ENROLLMENT

1. What is the proposed starting term or date for the program?

Response: In short, September 24, 2020.

By way of background, Concord's EJD program is designed for professionals who want to learn the law at a deeper level than they could get from most masters programs, and who are looking to enhance their existing careers or make a career shift, but who do not actually seek to become licensed attorneys who practice law. It provides certain advantages over the Juris Doctor (JD) program--it is three-years part-time instead of four, incurs less tuition, provides more flexibility regarding electives, and has no requirement of taking or passing the bar exam--all of which are beneficial to students who don't intend to practice law.

To be clear, Concord's EJD program is not a new program. However, now that Concord has recently transitioned from an unaccredited registered to an accredited law school, a new application for acquiescence is being filed out of an abundance of caution.

Concord has been operating its non-bar track EJD program in tandem with its bar-track JD program since 1999, shortly after the school's founding in 1998. Concord previously submitted an application for acquiescence to the Committee in connection with its EJD program, and that application was granted. Distance learning law schools recently became eligible to apply for accreditation for their JD programs, and Concord submitted that application in 2019. Although no substantive changes to its JD program (or EJD program) are anticipated in connection with a transition to accredited status, to ensure compliance with all procedural requirements, Concord is submitting the instant application for acquiescence to confirm that Concord's EJD program will no more interfere with Concord's accredited JD program than it has with its unaccredited registered JD program.

Concord has been enrolling JD and EJD students together in many of the same classes in each term for over 20 years, and would intend to continue to do so. Accordingly, the "starting term" for the EJD program will run in parallel with its accredited JD program. Since Concord will begin enrolling new JD students into its accredited program in its upcoming term on September 24, 2020, Concord would enroll new EJD students as of that date as well.

2. What is the anticipated initial enrollment of the proposed non-J.D. program?

Full-time: Part-time:

Response: Again, “initial enrollment” suggests a new program, whereas Concord’s EJD program has been in operation in tandem with its JD program for over 20 years. Although JD enrollment patterns have fluctuated significantly over the years in accordance with national trends in law school enrollment, Concord’s EJD enrollments have remained fairly stable. Typically, about 60 to 120 new students enroll in the EJD program each year. Depending on the number of JD enrollments, EJD students typically account for about 20 to 25% of all new enrollments, and have never accounted for more than about 35%. If JD enrollments rise as a result of Concord being granted accreditation, Concord expects the proportion of EJD students to decrease accordingly.

Because Concord has historically operated as an unaccredited registered law school, all students have been part-time, not full-time. Although Concord is separately seeking approval of a major-change request to offer (in addition to maintaining the existing part-time track) a full-time track for students who are not working full-time,, Concord does not expect many EJD students to pursue this accelerated pace, since the vast majority of EJD students are already working full time. If anything, some Concord EJD students seek to finish their program in slightly longer than 3 years, not less than 3 years.

3. What is the maximum enrollment for the program?

Response: There is no cap on EJD enrollment. Notwithstanding that, as noted in the response above, there are typically 60 to 120 new EJD enrollees each year, which account for 20% to 35% of all new enrollees, and may tend to be toward the lower end of that range going forward.

4. What is the anticipated enrollment of the J.D. program in the first term of the proposed non- J.D. program?

Full-time: Part-time:

Response: Over the last several years, Concord has enrolled between about 300 and 350 new students each year. Given that about 60 to 120 of them have been EJDs, the remaining roughly 180 to 240 have been JDs. Although it is possible that interest in Concord’s programs may increase somewhat upon accreditation, Concord does not anticipate any particular increase in EJD enrollment. (Concord is prepared to increase sections and staffing as needed if substantial increases in JD and/or EJD enrollments do occur).

5. Is the non-J.D. program:

Fixed Facility: ☐ Online/Correspondence: ☒ Blended: ☐

Response: Concord was the first law school in the country to offer a fully online JD program. Its JD and EJD program have both been operated entirely online since their inceptions in 1998 and 1999, respectively.

6. Will students in the non-J.D. program be allowed to take courses offered in the J.D. program?

Yes: ☒ No: ☐

Response: Yes. Since its inception, JD students and EJD students have been enrolled together in the same sections of courses. Concord has never found this arrangement to interfere with the educational environment in any respect. If anything, the diverse professional backgrounds that EJD students possess enhances the discussion and interaction. Concord does impose somewhat higher admissions exam standards and academic performance standards on JD than EJD students, but that is because JD students must demonstrate a reasonable probability of success on the California Bar Exam, which EJD students need not take or pass.

7. If the answer to the previous question is yes, list the courses, the number of non-J.D. program students anticipated to be enrolled and maximum enrollment in each for the initial year of the non-J.D. program. Indicate whether any of these courses are new courses. Attach a separate sheet if necessary:

Response:

Per the table below (reflecting the most recent complete academic year), both JD and EJD students enroll in their first year in Contracts I and II, Torts I and II, and Introduction to Legal Analysis I and II. Criminal Law I and II is mandatory for all 1L JDs because it is tested on the FYLSE and California Bar Exam. But because EJD students need not take those exams, and because Criminal Law is less likely to be related to the career goals of EJD students than Contracts or Torts, it is optional for EJD students (although a number of EJDs do take it).

Name of Professor	Current or New Faculty	Course	Credit Hours	% Non-J.D. Students	Total # Non-J.D. Students	Maximum Enrollment*	New Course? (Yes)
S. Williams S. Bracci	Current	Contracts I	4	33%	41	120	<input type="checkbox"/>
S. Bracci	Current	Contracts II	4	24%	11	60	<input type="checkbox"/>
S. Williams S. Bracci	Current	Criminal Law I	3	25%	28	120	<input type="checkbox"/>
S. Bracci	Current	Criminal Law II	3	17%	7	60	<input type="checkbox"/>
S. Williams S. Bracci	Current	Torts I	4	32%	40	120	<input type="checkbox"/>
S. Bracci	Current	Torts II	4	26%	12	60	<input type="checkbox"/>
M. Racki J. Burk K. Thomas	Current	Intro. to Legal Analysis I	1	33%	41	135	<input type="checkbox"/>
M. Racki	Current	Intro. to Legal Analysis II	1	23%	10	45	<input type="checkbox"/>

**Section enrollment limits are generally 60 for the doctrinal courses and 45 for the skills-based Introduction to Legal Analysis. There are no separate enrollment limits for non-JD students. The reported enrollment limits are for all students, and represent the per-section limits multiplied by the number of sections.*

Again, none of these are new courses, nor are they typically taught by new professors. Both JD and EJD students have taken 1L courses together for the last 20-odd years.

8. What policies or rules will allocate space in these courses between J.D. and non-J.D. students? Explain and provide the number of possible J.D. students who will be excluded and the courses from which they will be excluded or the changes that will be made to ensure that sufficient resources exist to accommodate the J.D. students.

Response: Concord has not experienced, and does not anticipate, that any JD students will be excluded from any courses. As to required courses, all required courses have long been and will continue to be offered each term. In the unlikely event there is a space issue, the school opens additional sections as necessary. As to electives, there is a remote possibility that a JD or EJD student may miss the opportunity for an elective if they wait to register and earlier registrants fill the course. However, JDs have room for far fewer electives in their program, and EJD students help provide sufficient enrollment numbers in order for the school to justify the cost of running more electives. Therefore, the possibility of a late-registering JD student being excluded from a particular elective is outweighed by the increase in variety of electives available to JDs as a result of the EJD program.

9. What will be the effect of grading scales or curves of the J.D. students if non-J.D. students are attending the same classes?

Response: Having JDs and EJDs in the same classes has not had and will not have any effect on grading scales. Concord has no curve. Instead, all students, JD and EJD alike, are measured objectively on their performance against the school's grading scale, not against each other. The JD and EJD programs do have somewhat different GPA requirements to remain in good standing, but the grading scale itself is identical for both sets of students (e.g., what level of quality constitutes, say, a "70" essay) and is unaffected by the enrollment composition of any class.

10. Will courses be offered that are limited to students in the non-J.D. program?

Yes: ☐ No: ☒

Response: The only course that EJD students are required to take that JD students are not is Cross Professional Ethics ("CPE"). JD students, instead, must take Professional Responsibility ("PR"). CPE is like PR in many ways, except it has a significant focus on avoiding the unauthorized practice of law, since EJD students are not preparing for licensure and need to thoroughly understand the boundaries of permissible practice. However, even CPE is available as an elective to JD students, although few JD students elect to take it.

Concord offers a variety of other electives, and EJD students may choose to specialize in any of four "concentrations" (Business Law, Education Law, Health Law, and Law and Technology), or simply mix and match from among the electives. JD students may enroll in these same electives, although since JDs only have 8 elective units out of 92 total units, as opposed to up to 40 out of 72 for EJD students, many electives tend to be more heavily attended by EJD students.

11. List courses and the number of non-J.D. program students anticipated to be enrolled in each for the initial year of the non-J.D. program. Are any of these new courses?

Response: Please see the chart below, reflecting EJD enrollments in the most recent 1L term, as well as the response to Question A.7, above.

Course	# Non-J.D. Students	New Course? (Yes)
Contracts I	41	<input type="checkbox"/>
Contracts II	11	<input type="checkbox"/>
Criminal Law I	28	<input type="checkbox"/>
Criminal Law II	7	<input type="checkbox"/>
Torts I	40	<input type="checkbox"/>
Torts II	12	<input type="checkbox"/>
Introduction to Legal Analysis I	41	<input type="checkbox"/>
Introduction to Legal Analysis II	10	<input type="checkbox"/>

B. FACULTY

1. List the faculty, indicating whether they are part-time or full time, and their teaching experience. If they teach in the J.D. program now, how will course loads be affected, and will any resources be diverted from the J.D. program? Explain why or why not?

Response:

Given that the EJD program is already operating, there will be no change in faculty composition or course loads. The only unique requirement for the EJD program is the 2-credit Cross Profession Ethics course, for which the school must dedicate faculty and curricular resources in order to offer each term. This course is open to JD students as well, however, so it does supply an additional elective for JD students. Approximately 10% of students enrolling in Cross Profession Ethics are JD students.

Below is a list of all Concord faculty, not merely those who teach courses to EJDs, and their teaching experience.

Beau Baez (PT) - Professor of Law

Professor Baez began his teaching career at Concord in 2000, and has also taught at Liberty University School of Law and Charlotte School of Law.

Education: JD, Georgetown University

State Bar Membership: District of Columbia (active) & Virginia (associate)

Courses: Introduction to Legal Analysis; Torts, Contracts, Criminal Law; Civil Procedure; Criminal Procedure; Business Planning and Skills Training—Practicum; Federal Taxation

Brian M. Balduzzi (PT) - Professor of Law

Education: JD, Boston University School of Law

State Bar Membership: Massachusetts, New York, U.S. Tax Court

Teaching Experience: Southern New Hampshire University and University of the People

Courses: Trust & Estates

Steven Bracci (FT) - Associate Dean of First Year Programs & Professor of Law

Dean Bracci has been teaching law for over 40 years. He has served as the Academic Director for law school divisions of a number of legal publishers. He is an expert in examination techniques and has conducted writing and test-taking seminars nationwide.

Education: JD, Whittier College of Law

State Bar Membership: California

Courses: First Year Curriculum – Contracts, Criminal Law, Torts; Remedies, Capstone

Jason Burk (PT) - Professor of Law

Professor Burk has taught at Concord since 2001. In addition to teaching courses in the first year curriculum at Concord, Professor Burk also practices law with a large multi-state firm.

Education: JD, Drake University Law School.

State Bar Membership: Nevada, Georgia

Courses: First Year Curriculum—Contracts, Criminal Law, Torts; Introduction to Legal Analysis

Scott Burnham (PT) - Visiting Professor of Law

Professor Burnham taught at The University of Montana from 1981 to 2010, and has been on the visiting faculty at many other law schools. He authored The Contract Drafting Guidebook and Drafting and Analyzing Contracts, and is a member of the American Law Institute.

Education: JD, New York University

State Bar Membership: Montana

Courses: Contract Drafting

Mandy Carter (PT) - Professor of Law

In addition to teaching at Concord, Professor Carter has taught at the Charlotte School of Law.

Education: JD, University of North Carolina -Chapel Hill, JD

Bar Membership: North Carolina

Courses: Concord Law School Professor; Advanced Legal Writing and Analysis - Litigation.

Sheri Dennis (FT) - Professor of Law

Prior to joining Concord's Department of Legal Writing, Professor Dennis taught legal research and writing and appellate advocacy at St. Thomas University School of Law in Florida. She has also taught numerous online courses for the Legal Studies program at Keiser University.

Education: JD, Cardozo School of Law

Certifications and Bar Membership (State): New York; Florida

Heather DeVincent-Cook (PT) - Professor of Law

Professor DeVincent-Cook was a corporate attorney for National Health Services, a medical conglomerate which specialized in addictive medicine. She also has 16 years of teaching experience at several colleges, universities, and Kaplan Bar Review.

Education: JD, New England School of Law

Courses: Medical Malpractice, Risk Management, Corporations, Medical Products Liability, Contract Drafting, Employment Law

James Dodge (FT) - Professor of Law

Professor Dodge began teaching at Concord in 2000. He serves as Executive Director of the Illinois Legislative Reference Bureau, and is a Commissioner of the Uniform Laws Commission.

Education: JD, Southern Illinois University School of Law

State Bar Membership: Illinois

Courses: First Year Curriculum—Contracts, Criminal Law, Torts, Corporations and Business Organizations, Real Property, Wills & Trusts

Lynn Feldman (PT) - Professor of Law

Professor Feldman has retired from a longtime solo practice in appellate law. In addition to teaching at Concord, he is also an adjunct professor of law at UWLA School of Law.

Education: JD, University of West Los Angeles School of Law

State Bar Membership: California

Courses: Criminal Procedure, Community Property, Family Law Practicum

Alexander Hernandez (PT) - Professor of Law

Education: JD, Nova Southeastern University School of Law

State Bar Membership: Florida, Southern District of Florida, Middle District of Florida

Courses: Community Property, Family Law Practicum

Keith Howard (PT) - Professor of Law

Professor Howard practices education law and civil rights law with Advocates for Children's Services, a specialized unit of Legal Aid of N.C. He has taught at the Charlotte School of Law.

Education: JD, University of North Carolina at Chapel Hill School of Law

State Bar Membership: North Carolina

Courses: Professional Responsibility, Cross Professional Ethics, Legal Analysis and Writing

Shaun Jamison (FT) - Associate Dean of Faculty & Professor of Law

As Associate Dean of Faculty at Concord, Dr. Shaun Jamison oversees faculty and academics. Jamison has taught at Concord since 2000.

Education: JD, University of North Dakota; Ph.D. Capella University

Certification: Certified Information Privacy Professional/United States (CIPP/US)

Courses: The Future of Law Practice; Cybersecurity Law; Cyberlaw; Legal Research

State Bar Membership: Minnesota

Scott Johnson (FT) - Professor of Law

Professor Johnson has taught with Concord since 1999, and has authored a textbook on Education Law. He is also a Hearings Officer with the New Hampshire Department of Education.

Education: JD, Franklin Pierce Law Center

State Bar Membership: New Hampshire

Courses: Administrative Law, Education Law, Health Law, Civil Procedure, Administrative Advocacy, Special Education Law, ADR and Technology

Marc Jones (PT) - Professor of Law

Professor Jones has taught at Concord since 2001. He is a Social Security Administration administrative law judge, and was a trial attorney with Immigration and Customs Enforcement.

Education: JD, Howard University

State Bar Membership: Illinois, Indiana

Courses: First Year Curriculum—Contracts, Criminal Law, Torts; Criminal Procedure, Evidence, Immigration Law, Introduction to Legal Analysis

Charles Katz (PT) - Professor of Law

Professor Katz has extensive experience in real estate and has been counsel for several banks.

Education: JD, Concord Law School

State Bar Membership: California, Washington

Courses: Real Property

Rob Landry (PT) - Professor of Law

In addition to his JD, Professor Landry has earned his MPA and Ph.D in Public Administration.

He is an adjunct at Jacksonville State University, where he teaches business and real estate law.

Education: JD, University of Alabama School of Law

State Bar Membership: Alabama

Courses: First Year Curriculum—Contracts, Criminal Law, Tort, Real Property, Administrative Law

Kelley Mauerman (FT) - Director of Legal Writing, Professor of Law & Director of Externships

Professor Mauerman was most recently Assistant Director of Lawyering Skills at Whittier Law School. She serves as a coach for Concord's Moot Court Honors Board.

Education: JD, University of San Diego School of Law

State Bar Membership: California

Courses: Introduction to Legal Analysis, Cross Professional Ethics, Professional Responsibility, Legal Analysis and Writing

Jennifer Mertus (PT) - Professor of Law

Professor Mertus taught legal writing at Whittier Law School for 15 years, was the director of the Center for Children's Rights, and spearheaded their study abroad program in China. She currently works for the Department of Homeland Security on family separation issues.

Education: JD, Whittier Law School

State Bar Membership: California

Courses: Introduction to Legal Analysis, Electronic Legal Research, Legal Analysis and Writing

Katherine Anne Pawlak (PT) - Professor of Law

Professor Pawlak is an employment litigator who has taught courses for the California Southern University School of Law, Rasmussen College, and the American Public University System.

Education: JD, University of Toledo College of Law

State Bar Membership: Ohio, Michigan, US District Court, Northern District of Ohio and Eastern District of Michigan

Courses: Evidence

Vanessa Pierce f/k/a Rollins (PT) - Professor of Law

Professor Pierce focuses has served as senior counsel for international and legal affairs for the Intellectual Property Owners Association (IPO) in Washington, D.C, and as a full-time law school professor at Wayne State University Law School.

Education: JD cum laude, Notre Dame Law School; BS, The University of Utah

State Bar Membership: California and Washington

Courses: Intellectual Property, Cyber Law, Patent Law Fundamentals

Martin Pritikin (FT) - Dean and Vice President

Dean Pritikin has nearly 20 years of experience in legal education, first as an adjunct at Loyola Law School, then as a tenured professor and associate dean at Whittier Law School. He has dedicated his career to integrating theory with practice.

Education: JD, Harvard Law School

State Bar Membership: California

Courses: Evidence

Melissa Racki (PT) - Professor of Law

Professor Racki has been with Concord Law School for over 10 years, initially as an Assistant Dean of Students. She has practiced as a plaintiff's attorney, representing clients with Social Security Disability, ERISA, personal injury, and workers' compensation claims.

Education: JD, Stetson University College of Law

State Bar Membership: Florida

Courses: Introduction to Legal Analysis

Jeremy Rovinsky (PT) - Professor of Law

Professor Rovinsky has served as dean and professor for National Paralegal College.

Education: JD, The George Washington University Law School

State Bar Membership: Arizona; Maryland (Inactive).

Courses Taught: Legal Research

Steven Specht (PT) - Professor of Law

Professor Specht has been a journalist, attorney, and Air Force veteran. In addition to teaching at Concord Law School, he teaches mass communication law at the University of Florida.

Education: Florida State University College of Law

State Bar Membership: Florida

Courses Taught: Constitutional Law

Kerii Thomas (PT) - Professor of Law

Professor Thomas has served as an adjunct associate professor and as the director of career services for the Southern University Law Center.

Education: JD, Southern University Law Center

State Bar Membership: Louisiana

Courses Taught: Introduction to Legal Analysis

Lori Tripoli (PT) - Professor of Law

Professor Tripoli formerly served as a department chair with Kaplan University, has authored a textbook on law practice, and served as a professional writer on business and law, compliance, cybersecurity, privacy, higher education, and environmental issues.

Education: Georgetown University Law Center

State Bar Membership: NY

Courses Taught: Virtual Law Practice, Introduction to Legal Analysis

Victoria Vidt (PT) - Professor of Law

In addition to working at Concord, Professor Vidt is an Assistant Public Defender in the Appellate Division at the Public Defender's Office in Pittsburgh.

Education: JD, Duquesne University School of Law

State Bar Membership: Pennsylvania

Courses: Criminal Procedure, Introduction to Legal Analysis

Terry L. Watt (PT) - Professor of Law

Professor Watt has over 25 years experience teaching both law and technical courses for the University of Tulsa. He is a registered patent attorney.

Education: JD, University of Tulsa.

State Bar Membership: Oklahoma

Courses: Patent Law Fundamentals, Patent Claim Drafting, Patent Application Drafting, Patent Litigation

Shandrea Williams (FT) - Professor of Law

Professor Williams has served as an adjunct professor at the University of Mississippi Law School; director of admissions and special programs at the University of Florida College of Law; assistant professor in the Center for Academic & Bar Readiness at the University of Laverne College of Law; and associate professor and academic dean at Arizona Summit School of Law.

Education: JD, Loyola University School of Law (New Orleans)

State Bar Membership: Louisiana; Federal Bar Membership: Eastern District Louisiana

Courses: Real Property, Evidence, First Year Curriculum—Torts, Contracts, Criminal Law

2. Describe any additional resources that will be added during the initial year of the non-J.D. program:

	Fall #	Spring #
Full-time Teachers	0	0
Deans/Administrators	0	0
Librarians	0	0
Teacher from Other Divisions	0	0
Clinical Instructors	0	0
Teaching Fellows, Instructors, etc.	0	0
Part-time Teachers	0	0
Grand Total	0	0

Response: No additional resources are required, as the EJD program is an ongoing program, and does not require separate faculty or staff in any event.

3. Of the above faculty members, will any of them teach courses open solely to students in the non-J.D. program during any part of the academic year (initial year of the non-J.D. program)? If so, list each faculty member, the name of the course(s) taught and its related credit hours:

Response: No faculty members will teach courses solely available to EJD students; as noted above, even the Cross Professional Ethics course, the only EJD requirement that is not required for JD students, is attended by some JD students.

4. Who will be in charge of this new non-J.D. program?

Response: When overall enrollments were larger, one of Concord's assistant deans of students was tasked with overseeing management of the EJD program, and given the additional title of Director of EJD student affairs. However, in light of size reductions, there was no longer a need for a separate administrator. Accordingly, there is no separate administrator tasked with running the EJD program. Rather, the dean of the school, in consultation with the full-time faculty and staff, determines policies and programming regarding the EJD program, much as with the JD program. The Assistant Dean of Students, as well as the Senior Manager of Student Operations, assist and work with both JD and EJD students. And faculty counsel students in their courses, regardless whether they are JD or EJD. Concord does not expect the EJD program to grow significantly in the future, but believes it is important to maintain this option for those students who want advanced doctorate level training in the law but who do not intend to practice.

5. Will this person be a full-time faculty member?

Yes: ☐ No: ☐

Response: N/A. See above.

6. Attach the curriculum vitae of the director of the proposed non-J.D. program.

Response: N/A. See above.

C. STAFF

How does the law school plan to staff this program? Will additional personnel be used in career counseling, admissions, etc., or will current personnel be sufficient? Will there be any change in available staff, resources, or services to the J.D. students? Explain.

Response: Current personnel will suffice. See response to Question B.4 above.

D. BUDGET

1. Provide the expenditures in the following categories for the non-J.D. program:

Response: No separate expenditures are allocated specifically to the EJD program. The below chart reflects all expenditures in the specified categories for the school (including both JD and EJD), for the past two fiscal years and for the current fiscal year (partially projected). Please note that Concord does not separately track expense line items in precisely the same manner as in the table provided in the application template.

	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021*
Revenue	4,939,940	4,262,384	4,485,929
Bad Debt	-267,157	-116,876	-123,363
Net Revenue	4,672,783	4,145,507	4,362,566
Teaching	1,346,550	1,388,709	1,453,804
School Specific	619,134	497,818	487,731
Marketing	1,628,279	1,591,590	1,539,418
Admissions	730,903	689,898	823,834
Operating Expenses	4,324,868	4,168,018	4,304,788
Contribution	347,915	-22,511	57,778
*Actual for July '20; projected for Aug. '20 through June' 21			

2. Provide the amounts of funds in the following categories relating to the non-J.D. program:

Response: No separate revenues are allocated specifically to the EJD program. The below chart reflects all revenues in the specified categories for the school (including both JD and EJD), for the past two fiscal years. Please note that Concord does not separately track revenue line items in precisely the same manner as in the table provided in the application template.

	FY'19	FY'20
Revenues		
4002 - Tuition	4,615,854	3,963,142
4307 - Book and Supply Fees	444,373	367,280
4415 - Scholarship Discount	-120,567	-68,098
4502 - Miscellaneous Revenue	280	60
4000 - Revenues	4,939,940	4,262,384

3. What are the proposed tuition and fees for students in the proposed program?

Response: The current [tuition and fees](#) for the EJD program are as follows:

- \$495 per credit hour
- \$295 technology fee per term
- \$11,880 average annual tuition (assumes 24 credit hours for a standard part-time pace; Concord has no “full-time” programs)

The following additional costs are estimates:

- Textbooks: \$1,200 per year; representative booklists are available at <https://bncvirtual.com/concordlawschool>
- Computer equipment: \$1,000
- Online provider: \$239 per year
- Microsoft Word or other .doc/.docx-compatible word processing program: Market price

Concord does not anticipate that this will change with accreditation of its JD program, with the exception that in 2021, Concord plans to begin to shift from two 24-week terms per year to three 16-week terms per year, which may result in students paying three technology fees per year instead of two. If there is any tuition increase in the near future, it would likely be a

relatively modest one to help cover the cost of three upper-division terms per year instead of two.

E. CURRICULUM

1. Attach the proposed curriculum for academic year one and academic year two of the proposed non-J.D. program.

Response: The EJD curriculum is described on Concord's website on its [EJD page](#) and [online catalog](#), or in the pdf of the [academic catalog](#) (also accessible from the website).

Under its pre-existing 24-week term structure, in the first year, EJD students are required to take Contracts I and II (8 units), Torts I and II (8 units), and Introduction to Legal Analysis I and II (2 units), for a total of 18 units. If EJD students wish to take a total of 24 units in their first year, they may take Criminal Law I and II (6 units).

In their second and third years, EJDs must take Legal Research (2 units), Legal and Analysis and Writing (2 units), Advanced Legal Analysis and Writing (2 units), Constitutional Law I and II (6 units), and Cross Professional Ethics (2 units), for a total of 14 units.

Thus, EJD students take 32 units of required courses and 40 units of electives to reach the 72 units required for the degree. Note that if EJD students elect to specialize in one of the four available concentrations, certain additional courses may be required.

Going forward as an accredited program, beginning in January 2021, Concord will be transitioning from two 24-week terms per year to three 16-week terms per year. Accordingly, the course sequencing may shift slightly. However, the required courses, the total number of required credits, and the total number of credits of required courses, will remain unchanged.

2. State the nature and extent of faculty involvement in the development of the non-J.D. program and provide copies of faculty actions e.g. minutes approving the academic content of the program.

Response: The EJD program was formed over twenty years ago. The program was extensively studied again by faculty committee members in 2015, resulting in a [committee report](#). Some recommendations from the report have been adopted, including the developing several additional concentrations (while others have been eliminated). Other recommendations, like creating separate 1L courses for EJDs only, have not been implemented, in large part due to insufficient EJD enrollments to justify such an investment. To the extent that changes have been made, they were also done so in consultation with the full-time faculty.

3. Please provide any proposals submitted to a university or law school faculty committee describing the program.

Response: Please see the response above to Question E.2.

F. LIBRARY RESOURCES

Describe the anticipated additional library resources needed to support the proposed non-J.D. program for academic year one and academic year one. Address both collection development and personnel needs.

Response: No additional library resources will be required to continue the EJD program. The school already provides not just Westlaw and Heinonline, but also multidisciplinary resources from the university library, to all students. No additional librarians will be needed. Below is an overview of library services provided for Concord students generally:

The Purdue University Global Library offers students access to information resources and collections that are entirely online and accessible by students at any time. Links to the PG Library are available from within the online campus student portal, online classrooms, or students and faculty may also go directly to the PG Library's website.

For the majority of legal research conducted during coursework, access to Westlaw is provided, with registration information sent to students soon after the start of their first term. Students can also search for legal information in HeinOnline and have access to CALI for supplementary legal education. From the PG Library's website and guides, students can search and open the full text of thousands of subscribed journals and magazines that cover a wide variety of subjects relevant to our degree programs, including law, as well as numerous e-book titles, newspapers, reports, and other kinds of publications. To assist searching other databases, the PG Library website integrates EBSCO Discovery Service, a modern web-scale search tool that allows users to search the library's various collections and materials through a single point.

As part of their subscription to Westlaw, students can contact Westlaw's Reference Attorneys service for one-on-one research help, available 24/7 and staffed by bar-admitted attorneys. Westlaw's website also offers training documentation for self-service learning. The PG Library staff are also available to answer reference questions by email, chat, or by appointment. The PG Library is staffed by the Director of Library Services and two professional reference librarians, all of whom have an MLS or MLIS. Response times to emails are guaranteed to students within one business day, and chat services are available at set times posted on our website, Monday - Friday. Guidance on information literacy and skills like effective use of our research tools are available from library guides, video and interactive tutorials, and other instructional aids like a searchable support knowledge base. Two library guides specifically for Concord students, one embedded in courses and one available from the campus homepage, saw 14,329 total page views in 2018.

G. INFRASTRUCTURE

Describe any changes to space requirements or information technology infrastructure needed for the non-J.D. program, including student study areas, offices for full-time faculty, part-time faculty, support staff, space for additional library materials, classrooms, and student lounges, etc. Will the space or information technology infrastructure available to J.D. students be affected? Explain.

Response: As the EJD program already exists and has been and will continue to be operated exclusively online, no physical requirements need to be met. No additional staff will be required, and no additional technological infrastructure will be needed.

H. AGREEMENTS REQUIRED UNDER GUIDELINES 13.2 (B) AND (E)

Please mark the check boxes below to signify the school's agreement with each of the responsibilities below.

- ☐ The law school agrees to operate this program in a manner that will not detract from the law school's ability to maintain its Juris Doctor Degree program in compliance with the Rules for Accredited Law Schools, as required by Guideline 13.2(B).
- ☐ The law school agrees to maintain any authorized professional law degree program in compliance with any terms, conditions, and restrictions set by the Committee, as required by Guideline 13.2(E).
- ☐ The law school agrees that the State Bar may terminate the school's authority to issue a professional law degree program previously authorized following a notice of noncompliance process substantially similar to the Notice of Noncompliance procedure set forth in Chapter 5 of the *Rules*, except that the decision of the State Bar is final and Rule 4.177 does not apply.

I. CERTIFICATION

The Dean must sign to certify that this application is true, complete and correct.

I hereby certify that the statements and all information contained in and attached to this Application for Committee Acquiescence to a Professional Law Degree Program are true and correct.

I further agree that the law school making this request will pay for the time spent on this request by State Bar staff and consultants at the rate of \$275/hour, plus any applicable expenses and that I must enclose a deposit of \$250 with this application. I understand that the

school will be billed by the State Bar on a periodic basis, and payments will be due within thirty days of mailing of the invoice. By signing this form, the school agrees to pay for the charges incurred and, if applicable, travel expenses incurred. Acceptable forms of payments: money order, check, or credit card (Credit Card Authorization Form Attached).

Signed:

Print Name:

Martin Pritikin

Title:

Dean and Vice President

Email:

martin.pritikin@purdueglobal.edu

