



# The State Bar *of California*

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OFFICE OF ADMISSIONS

**OPEN SESSION  
AGENDA ITEM O-401  
OCTOBER 2021  
COMMITTEE OF BAR EXAMINERS**

**DATE:** October 15, 2021

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

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

**SUBJECT:** Action on Major Change – Pacific Coast University School of Law – Modify JD Program from Quarters to Semesters

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## **EXECUTIVE SUMMARY**

Pacific Coast University School of Law (Pacific Coast) seeks the Committee of Bar Examiners' (CBE) ratification of its reorganization and transition of the JD program from semesters to quarters effective fall 2021 as set forth in Attachment A.

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## **BACKGROUND**

Under rule for unaccredited law schools 4.246 "[a] registered law school contemplating a major change must notify the Committee and obtain its prior approval before making the change. The notice must explain in detail any effect the change might have on the law school's compliance with." Such changes, as enumerated in rule 4.246 Such changes include "offering any new program in law study" as is contemplated here.

Pacific Coast University School of Law is a registered, unaccredited, fixed facility law school located in Long Beach, California. While originally founded as an unaccredited law school, the school recently spent a number of years in accredited status and transitioned back to unaccredited status in 2020. Since 2020, the law school has undergone significant change,

including the leadership of three different deans, and two major changes to the composition of the law school's governing board. Throughout this period, the law school has remained classified as a fixed-facility law school, though it has been teaching classes online due to the pandemic, under the general waiver provided by the CBE.

The law school transitioned from accredited status to registered status after it did not maintain the required minimum bar exam pass rate for accredited law schools. Pacific Coast's most current cumulative five-year bar pass rate is 33 percent, according to its Business and Professions Code 6061.7(a) disclosure. The law school's June 2021 First-Year Law Students' Examination pass rate was 25 percent for that specific instance of the examination.

The law school will next be inspected in 2022, undergoing its first inspection since its return to registered, unaccredited status.

The law school previously offered a JD program operated on a quarter schedule, with three eleven week terms. Effective fall 2021, the law school implemented a JD program on a semester basis, and the law school seeks the Committee's ratification of its action.

In June 2021, the State Bar met with the law school to discuss logistics related to the law school's 2022 inspection. During that conversation, the law school advised that it had announced and implemented plans to modify its JD program and switch the program's schedule from a quarter system to a semester system. State Bar staff advised the law school that it was required to submit a major change request and receive advance approval to implement this new JD program; the law school was advised to file the request as soon as possible. In August 2021, the law school implemented its planned changes, and also filed the major change request set forth in Attachment A seeking ratification of these changes.

It is important for registered, unaccredited law schools to file major change requests before implementing a new JD program. Doing so allows the CBE to ensure that any newly organized program will continue to meet the specific requirements necessary for graduates to meet eligibility for the bar exam under the California Business and Professions Code, as well as other State Bar rules and guidelines. Therefore, having the oversight of the CBE at this point in the process enhances public protection.

## **DISCUSSION**

Under Guideline 5.9 (A) for accredited law schools, "[a] fixed-facility law school's curriculum must be offered in semester units or quarter units." Historically, Pacific Coast's fixed-facility JD program was offered in three eleven-week quarters per year. Its new JD program instituted in fall 2021 is organized into two sixteen week semesters. Both the old and the new format comply with the guideline requirements.

The law school indicates that this change “will benefit the students because it will offer longer periods of instruction and “absorption” for courses changing from one quarter to one semester. In addition, students will have the opportunity to obtain more instruction (and learning) time before being required to take examinations in their courses.”

An unaccredited law school “must provide a minimum of 270 hours of classroom attendance a year for four years” under guideline 5.9(A)(4). Pacific Coast’s proposed program provides 315 hours of class instruction per year for each of the four years, exceeding this minimum requirement. The law school’s program also contains the courses taught on the bar exam. As before, the law school teaches a set curriculum without options for electives, which is allowable under the rules and guidelines.

A portion of these hours are contained in two new courses, both labeled Academic Support Lab, offered in the first and third years, each at one credit. These courses, in part, replace the Alternative Dispute Resolution class that was removed. It is unclear whether this course is permissible under the guidelines for two reasons, and staff recommends further research. First, it will be important to confirm that this qualifies as a class consistent with the numerous portions of guideline 5.2 including “recommended texts, course outlines and syllabi,” without duplicating the subject matter of other courses. Next, unaccredited law schools are not permitted to offer credit for examination preparation classes, and it will be important to make sure that this course is not similar to that. Under guideline 1.11, “[a] law school may offer and charge for a First-Year Law Students’ Examination and bar examination review course. Any such review course must not be part of the credit requirements to obtain a JD degree.” All law schools are required to offer academic support, but it is unclear whether this qualifies for academic credit.

Next, while presumably the academic support offered differs, the courses are listed with the same name. This could create issues for transferring students. Under guideline 5.23, a “law school must not grant duplicate credit for repetition of the same or substantially the same course.” If the courses are deemed appropriate for credit and are different from each other, it will be necessary to adjust their names to reflect their different content.

When asked about this program recently, the law school advised that academic support lab may be offered under different conditions than described in their submission. This can be evaluated offline, and further discussed in a progress report or as part of the law school’s 2022 inspection.

Nevertheless, even if these courses were subtracted, the law school would be offering sufficient classwork to meet the minimum requirement, and the outcome of this further research need not delay the law school’s implementation of its new semester program.

Finally, for recordkeeping purposes, the law school should be sure that its transcripts clearly label which courses were earned in quarter units and which courses were earned in semester

units, and the dates when those courses were taken. This will be important for the law school's internal recordkeeping. It will also be important information to have as students consider transferring or applying to take the bar exam based on four years of laws study, rather than earning a JD degree. The law school should be asked to submit a sample transcript for evaluation. This is an important step for all law schools in general, and for this law school in particular, based on some recordkeeping issues observed in the recent past. The law school has been forthright about reviewing the current issues and preventing issues in the future, and this would be an important part of that prevention strategy.

The law school has been advised to be sure to determine when future changes need advance approval. For example, the law school may be considering a request to change its format from a fixed-facility format to another unaccredited format in the future. Pacific Coast indicates that if it decides to do so, it will file a complete petition and secure the required approvals well in advance of taking such an action.

## **FISCAL/PERSONNEL IMPACT**

None

## **RECOMMENDATION**

**It is recommended that the Committee of Bar Examiners receives and files Pacific Coast University School of Law's Request for Major Change seeking ratification of the ending of its JD program organized in quarters and the start of its JD program organized in semesters effective fall 2021 as set forth in Attachment A, and to grant the request effective immediately.**

**It is also recommended that the law school provide a progress report along with its 2021 Annual Report describing its academic support offerings and documenting their compliance and also including a template of the law school's transcript, demonstrating how both semester and quarter courses will appear on the transcript, and clearly listing the dates when courses were taken and whether a student earned quarter credits or semester credits.**

## **PROPOSED MOTION**

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

**MOVED** that the **Committee of Bar Examiners** receives and files Pacific Coast University School of Law's Request for Major Change seeking ratification of the ending of its JD program

organized in quarters and the start of its JD program organized in semesters effective fall 2021 as set forth in Attachment A, and to grant the request effective immediately; and

**IT IS FURTHER MOVED** that the law school provide a progress report along with its 2021 Annual Report describing its academic support offerings and documenting their compliance and also including a template of the law school's transcript, demonstrating how both semester and quarter courses will appear on the transcript, and clearly listing the dates when courses were taken and whether a student earned quarter credits or semester credits.

## **ATTACHMENT LIST**

- A.** Pacific Coast University School of Law Major Change Request – Modify JD Program from Quarters to Semesters

**PACIFIC COAST UNIVERSITY  
SCHOOL OF LAW**

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July 28, 2021

***By Electronic Transmission Only***

Natalie Leonard, Esq.  
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Educational Standards  
Office of Admissions  
State Bar of California  
180 Howard Street  
San Francisco, California 94105

**Re: Request of Pacific Coast University, School of Law, for Approval of Major Change in the Form of Converting to the Semester System from the Quarter System**

Dear Ms. Leonard:

Pursuant to Rule 4.245 of the *Unaccredited Law School Rules*, this will constitute the formal request of Pacific Coast University, School of Law, for approval of a Major Change in the form of a conversion to the semester system from the quarter system. The following documents are attached in support of the within request:

1. Comparison of PCU Quarterly and Semester Curricula; and
2. Proposed Semester Course Schedule.

As you and I have discussed, I was more than a little gobsmacked when you advised me that a law school's conversion from the quarter system to the semester system (absent any other, substantive change in the academic program) constitutes a "major change" as defined by Rule 4.246(E) of the *Unaccredited Law School Rules*. More specifically, section (E) of Rule 4.246 defines a major change as "offering a new program in law study...." I have, of course, always understood that that language – "a new program in law study" – means and includes such substantive, structural and qualitative changes as adding a new daytime full-time program to an evening part-time curriculum or a fixed-facility law school adding a distance-learning program.

But as I mentioned, it simply has never occurred to me that a major-change approval would be required where, as here, the only change contemplated is to the non-substantive scheduling of classes – with no changes whatsoever in the manner, form or modality of instruction; in the length of the program; or in the offering of all Bar Examination-tested courses. Indeed, in addition to the fact that PCU’s semester-based curriculum will, of course, continue to require the mandated 270 hours of coursework per year over a four-year period, all of the classes will remain the same with a few minor exceptions in the case of non-Bar Examination-tested subjects. (See the attached Comparison of PCU Quarterly and Semester Curricula.)

Moreover, I must confess that I remain at a loss to understand the basis for the view that such a plainly non-qualitative, procedural change as transitioning from the quarter system to the semester system constitutes a major change within the meaning of Rule 4.246. That said, and in the spirit of good faith and cooperation, I am nevertheless respectfully submitting this request for approval of a major change based on the following facts appertaining to PCU’s conversion from the quarter system to the semester system:

1. In accordance with California Business and Professions Code section 6060, students will complete 21 semester units (equal to 315 class hours) per year. As such, students will be required to complete 84 semester units to earn their Juris Doctor Degree;
2. The curriculum and overall course schedule will remain largely the same, except that students will enroll in two 16-week semesters per year rather than three 11-week quarters per year. We believe that this transition will benefit the students because it will offer longer periods of instruction and “absorption” for courses changing from one quarter to one semester. In addition, students will have the opportunity to obtain more instruction (and learning) time before being required to take examinations in their courses;
3. The change to the semester system will not cause any disruption to the students or their educational experience, because the curriculum and class times remain the same;
4. In that all first-year courses remain exactly the same, there should be no impact on incoming students. All communications to incoming students will be adapted to reflect the semester system; and
5. We have no reason to believe that the change will in any manner adversely impact any resource-availability or enrollment.

Natalie Leonard, Esq.  
State Bar of California  
July 28, 2021  
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Based on the foregoing facts – viewed in conjunction with the attached Comparison of PCU Quarterly and Semester Curricula and the Proposed Semester Course Schedule – we respectfully submit that the within request is altogether reasonable and proper and that there exists no reason for its denial.

As always, I very much appreciate your professional courtesy and consideration.

Respectfully submitted,  
Pacific Coast University, School of Law

*B.G. Dezes*

Basil G. Dezes,  
Dean and Professor of Law

Attachments: 1. Comparison of PCU Quarterly and Semester Curricula  
2. Proposed Semester Course Schedule.



## COMPARISON OF PCU QUARTERLY AND SEMESTER CURRICULA

### Current PCU Quarterly Curriculum:

#### First-Year Curriculum

1. Contracts – 12 units
2. Criminal Law – 8 units
3. Fundamentals of Legal Research & Writing – 12 units
4. Torts – 12 units

#### Second-Year Curriculum

1. Business Associations – 8 units
2. Civil Procedure – 12 units
3. Civil Procedure Practicum – 4 units
4. Evidence – 8 units
5. Alternate Dispute Resolution – 4 units

#### Third-Year Curriculum

1. Community Property – 4 units
2. Constitutional Law – 12 units
3. Real Property – 12 units
4. Wills and Trusts – 8 units

#### Fourth-Year Curriculum

1. Pleading and Practice – 4 units
2. Professional Responsibility – 4 units
3. Professional Writing – 4 units
4. Trial Techniques and Advocacy – 4 units
5. Remedies – 4 units
6. Criminal Procedure – 8 units

### Proposed PCU Semester Curriculum:

#### First-Year Curriculum

1. Contracts I - 3.5 units
2. Contracts II – 3.5 units
3. Torts I – 3.5 units
4. Torts II – 3.5 units
5. Criminal Law – 3.5 units
6. Fundamentals of Legal Research & Writing – 3.5 units
7. Academic Support Lab - 1 unit

#### Second-Year Curriculum

1. Business Associations – 3.5 units
2. Civil Procedure I – 3.5 units
3. Civil Procedure II – 3.5 units
4. Civil Procedure Practicum – 3.5 units
5. Evidence I – 3.5 units
6. Evidence II – 3.5 units

#### Third-Year Curriculum

1. Professional Responsibility – 3.5 units
2. Constitutional Law I – 3.5 units
3. Constitutional Law II – 3.5 units
4. Real Property I – 3.5 units
5. Real Property II – 3.5 units
6. Wills and Trusts – 3.5 units
7. Academic Support Lab - 1 unit

#### Fourth-Year Curriculum

1. Pleading and Practice – 3.5 units
2. Community Property – 3.5 units
3. Legal Writing – 3.5 units
4. Trial Techniques and Advocacy – 3.5 units
5. Remedies – 3.5 units
6. Criminal Procedure – 3.5 units

# PROPOSED SEMESTER COURSE SCHEDULE

## Fall 2021

August 23, 2021 – December 17, 2021

	Monday	Tuesday	Wednesday	Thursday	Friday
First Year	Contracts I Professor Lee 6:30-10:00 PM	Academic Support Lab (Every 1st and 3rd Tuesday) Professor Lee 6:30-10:00 PM	Torts I Professor Kasamatsu 6:30-10:00 PM		Criminal Law Professor Olszewski 6:30-10:00 PM
Second Year	Professional Responsibility Professor Eisen 6:30-10:00 PM		Real Property I Professor TBA 6:30-10:00 PM		Constitutional Law I Professor Rosas 6:30-10:00 PM
Third Year	Professional Responsibility Professor Eisen 6:30-10:00 PM		Real Property I Professor TBA 6:30-10:00 PM	Academic Support Lab (Every 1st and 3rd Thursday) 6:30-10:00 PM	Constitutional Law I Professor Rosas 6:30-10:00 PM
Fourth Year	Criminal Procedure Professor Velez 6:30-10:00 PM		Professional Responsibility Professor Eisen 6:30-10:00 PM		Pleading & Practice Professor Lakhman 6:30-10:00 PM

# Spring 2022

January 3, 2022 – May 6, 2022

	Monday	Tuesday	Wednesday	Thursday	Friday
First Year	Contracts II Professor Lee 6:30-10:00 PM		Torts II Professor Kasamatsu 6:30-10:00 PM		Legal Research & Writing Professor TBA 6:30-10:00 PM
Second Year	Wills and Trusts Professor Lee 6:30-10:00 PM		Real Property II Professor TBA 6:30-10:00 PM		Constitutional Law II Professor Rosas 6:30-10:00 PM
Third Year	Wills and Trusts Professor Lee 6:30-10:00 PM		Real Property II Professor TBA 6:30-10:00 PM		Constitutional Law II Professor Rosas 6:30-10:00 PM
Fourth Year	Legal Writing Professor Eisen 6:30-10:00 PM		Remedies Professor Rosas 6:30-10:00 PM		Trial Techniques Professor TBA 6:30-10:00 PM