



**OPEN SESSION
AGENDA ITEM O-402
DECEMBER 2021
COMMITTEE OF BAR EXAMINERS**

DATE: December 3, 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 –
Change JD Program Schedule from Quarters to Semesters

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 quarters to semesters effective fall 2021 as set forth in Attachment A.

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, 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 was accredited for a number of years and transitioned back to unaccredited status in 2020.

The law school most recently transitioned from accredited status to registered, unaccredited status because it did not maintain the required minimum, cumulative five-year bar exam pass rate (MPR) of 40 percent or greater required of all accredited law schools. Pacific Coast's current cumulative five-year bar exam pass rate is 33 percent, calculated using the formula applied to unaccredited law schools, according to its 2021 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, while its July 2021 bar examination pass rate for that single examination was 16.6 percent.

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

In June 2021, State Bar staff advised that the law school was required to seek advance approval of a major change in order to implement its plan to reorganize its JD program from quarters to semesters and potentially revise some of the coursework. The purpose of the Committee's review is to ensure that the change is compliant not only with the Rules for Unaccredited Law Schools, but also California Business and Professions Code 6060, which is required in order for the law school's graduates to establish eligibility to meet the educational requirements to take the bar exam. The law school was advised to file the request as soon as possible.

At that time, the law school's JD program was being offered on a quarter schedule composed of three eleven-week terms.

In August 2021, the law school filed its major change request set forth in Attachment A. It informed the State Bar that it was proceeding with the change in advance of approval and sought ratification of its action. The law school explained that it believed it had sent the request late in July, but realized that the email had been sent without a name in the "to" field and therefore went only to the law school's registrar who was included in the "cc" field.

Later in August 2021, the law school implemented the changes described in its request, including changing the schedule of its JD program to be offered on a semester basis and adding and deleting some courses.

In October 2021, two days prior to the Committee's planned review of the request, the law school filed an amendment to its request, noting that the original request did not accurately reflect the changes that the law school had implemented. The amended filing continues to describe a semester calendar, and changes some coursework and credit calculations.

Due to the short timeframe to review the material, the Committee delayed consideration to this meeting in December.

DISCUSSION

THE LAW SCHOOL SEEKS TO CHANGE ITS SCHEDULE FROM QUARTERS TO SEMESTERS

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. The law school seeks to modify its calendar from one permissible format, quarters, to another permissible format, semesters.

The law school indicates that the change from quarters to semesters “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.”

ALL COURSES MUST COMPLY WITH STATE BAR RULES AND GUIDELINES TO QUALIFY FOR CREDIT.

The law school also now awards credits for its academic support lab that was previously a non-credit course which should be further evaluated during the law school’s next inspection to ensure that it complies with the guidelines. In addition, the law school must ensure that it properly tracks attendance for each class, only awarding credit to those students who attend 80 percent or more of the scheduled classes and otherwise meet all class requirements, pursuant to guideline 5.3(A.)

The JD program must include 270 hours of classroom instruction.

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 classroom instruction per year for each of the program’s four years, exceeding this minimum classroom hour requirement. All JD students take the same schedule, including all subjects tested on the bar exam and a required set of additional courses in place of optional elections.

While the new program appears to offer the requisite number of hours, the courses should be reviewed during the law school’s inspection in 2022 to ensure that they meet all requirements.

The law school must ensure that it complies with the requirements for course content and that no credit is awarded for duplicate courses.

The factors to be evaluated when considering a course under guideline 5.2 include: [t]he materials used in each course, including required and recommended texts, course outlines, and syllabi; [t]he effectiveness of the methods of instruction used; ... [t]he quality of examinations, assignments, and other student work as an indication of course coverage and as a measure of student knowledge and analytical ability, [and] . . . [t]he soundness of the grading system.”

Here, while the first-year academic support lab meets for 3.5 hours each week for a full semester, no weekly assignments are listed, no grading standards are listed in the syllabus, and there do not appear to be assignments, with the syllabus noting that professors will adjust the content throughout the semester, without giving any notice as to the content. The courses do not appear to include a course text.

The law school offers several courses in the fourth year that may have a similar structure and should also be evaluated for their compliance with guideline 5.22 as part of the inspection process.

In addition, the law school should ensure that the course content does not overlap between the academic support lab and the doctrinal courses offered. The homework and preparation required of the doctrinal courses should not be subsumed into the academic support lab. Though the courses are not duplicative in name, they also cannot be duplicative in content.

The law school must ensure that students only earn credit if they attend at least 80 percent of class sessions.

The law school's description of its academic support class correctly describes that students must attend 80 percent of all class sessions in order to earn credit for a course, pursuant to Guideline 5.3. While the syllabus notes that those who leave early will be marked absent, it also notes that those arrive fifteen or more minutes late to the three hour and fifteen minute class session will be marked tardy, regardless of when they arrive, but they will not be marked absent. This may result in a condition in which students may be late such that they attend fewer than 80 percent of the required class sessions but are still awarded credit. This policy must be adjusted to comply with the guideline and provide notice to students of what is expected.

The law school's transcripts must clearly state whether credits earned are quarter-credits or semester-credits.

Finally, for recordkeeping purposes, if the Committee approves this major change, the law school must ensure that its transcripts clearly label whether course credit was earned in semester units or quarter units for each course. The law school should be asked to submit a sample transcript to the State Bar's Office of Admissions for evaluation.

THE LAW SCHOOL SHOULD ENSURE THAT IT FILES ACCURATE AND TIMELY MOTIONS.

The law school should be encouraged to ensure that its filings are timely and accurate, taking note of when advance approval is required. For example, the law school has indicated that it may, in the future, seek to change from offering fixed-facility format to offering distance format. Should the law school go forward with this request, it must be approved by the Committee prior to announcing the program or recruiting or enrolling students.

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 its change from a JD program scheduled in quarters to a JD program scheduled in semesters, as well as several curriculum changes, as set forth in Attachment A, and grants the requests.

It is also recommended that the law school be directed to take the following steps: 1) submit a template to the State Bar by January 31, 2022 demonstrating how quarter-credits and semester-credits will appear on students' transcripts; 2) review the law school's attendance policy and amend as necessary to comply with guideline 5.3(A); and 3) review and amend its courses as necessary to ensure that each course complies with the course aspects listed in guideline 5.22 and that no duplicate course credit is awarded.

Finally, it is recommended that the law school timely file future requests and seek advance approval when required.

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 law school's change to scheduling its JD program in semesters effective fall 2021 and course changes as set forth in Attachment A, and grants the request, subject to further review at the law school's next inspection; and

IT IS FURTHER MOVED that the law school must: 1) submit a template to the State Bar by January 31, 2022 demonstrating how quarter-credits and semester-credits will appear on students' transcripts; 2) review the law school's attendance policy and amend as necessary to comply with guideline 5.3(A); and 3) review and amend its courses as necessary to ensure that each course complies with the course aspects listed in guideline 5.22 and that no duplicate course credit is awarded; and

IT IS FURTHER MOVED that the law school is advised to ensure that it timely files motions as needed with the Committee of Bar Examiners, securing advance approval when required.

ATTACHMENT LIST

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

**PACIFIC COAST UNIVERSITY
SCHOOL OF LAW**

1650 Ximeno Avenue
LONG BEACH, CALIFORNIA 90804
(562) 961- 8200
www.pculaw.org

Writer's Direct Email Address: dean@pcu.org

July 28, 2021

By Electronic Transmission Only

Natalie Leonard, Esq.
Principal Program Analyst
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.

From: PCU Registrar

To: Leonard, Natalie

Cc: PCU Dean

Subject: FW: PCU's Request for Approval of Major Change

Date: Tuesday, October 12, 2021 4:11:46 PM

Attachments: [COMPARISON OF PCU QUARTERLY AND SEMESTER CURRICULA.docx](#)

[Proposed Semester Course Schedule.docx](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Leonard,

It has come to my attention that in support of PCU's pending request for Committee approval to convert from the quarterly to a semester course schedule, early and superseded drafts of both the proposed semester schedule and the curricula comparison were inadvertently attached to Dean Dezes' below email of July 28, 2021.

Attached please find the correct curricula comparison and course schedule – which is the schedule pursuant to which we are currently operating. More specifically, please note that the schedule includes only one Academic Support course (as part of the first-year curriculum) for which students receive academic credit. Although an academic-support workshop covering second- and third-year subjects is offered as well, student attendance at meetings of the workshop is purely voluntary and students do not receive academic credit for those sessions.

Should you have any questions regarding the updated attachments, please let me know.

Kind regards,

Natalie Badillo-Casas, J.D.

Registrar

Pacific Coast University, School of Law

Phone: 562.961.8200

Email: registrar@pculaw.org

Website: <https://www.pculaw.org/>

From: PCU Dean <dean@pculaw.org>

Sent: Wednesday, July 28, 2021 6:09 PM

Cc: PCU Registrar <registrar@pculaw.org>

Subject: PCU's Request for Approval of Major Change

Dear Ms. Leonard:

Pursuant to our telephone conversations and email exchanges concerning this matter, I am attaching the following documents in support of the request of Pacific Coast University, School of Law, for approval of a major change in the form of converting to the semester system from the quarter system:

1. My letter to you of today's date;
2. Comparison of PCU Quarterly and Semester Curricula; and
3. Proposed Semester Course Schedule.

Thank you, as always, for your professional courtesy and consideration.

Best regards,

Basil G. Dezes,
Dean and Professor of Law
Pacific Coast University School of Law
1650 Ximeno Avenue
Long Beach, California 90804
(310) 622-5727

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. 1L Academic Support Lab – 3.5 units

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

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	Torts I Professor Kasamatsu 6:30-10:00 PM	Academic Support Lab 1L Professors 6:30-10:00 PM	Contracts I Professor Lee 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 Logan 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 Logan 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	Torts II Professor Kasamatsu 6:30-10:00 PM		Contracts II Professor Lee 6:30-10:00 PM		Legal Research & Writing Professor TBA 6:30-10:00 PM
	Monday	Tuesday	Wednesday	Thursday	Friday
Second Year	Wills and Trusts Professor Padilla 6:30-10:00 PM		Real Property II Professor Logan 6:30-10:00 PM		Constitutional Law II Professor Rosas 6:30-10:00 PM
	Monday	Tuesday	Wednesday	Thursday	Friday
Third Year	Wills and Trusts Professor Padilla 6:30-10:00 PM		Real Property II Professor Logan 6:30-10:00 PM		Constitutional Law II Professor Rosas 6:30-10:00 PM
	Monday	Tuesday	Wednesday	Thursday	Friday
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

PACIFIC COAST UNIVERSITY SCHOOL OF LAW 2021-2022 1L ACADEMIC SUPPORT SYLLABUS

Academic Support Lab Fall 2021 Overview

All first year students at Pacific Coast University are provided with academic support resources. This support includes course-specific content and applied legal skills workshops, as well as learning strategies to supplement the substantive courses.

This is a pass/fail course to be conducted in a team-teaching format. Each class will consist of two (2) ninety (90) minute sessions taught by two (2) different professors each evening, as indicated by the class calendar included at the end of this syllabus.

Instructors: Professor Lee, Professor Olszewski, and Professor Kasamatsu

Professors' Email Address:

Class Meetings: Tuesday Evenings, 6:30 pm -10:00 pm

Office Hours: By appointment only. Please request an appointment time via email.

Student Learning Objectives

The goals and objectives include but are not limited to assisting each student to:

1. Develop and reinforce effective study habits and coursework skills
2. Understand the importance of targeted study techniques and designing a study plan
3. Strengthen basic competencies in legal reading and writing skills
4. Learn how to apply the law and facts to develop critical thinking and problem solving
5. Learn how to advocate a client's position and reason effectively to achieve that goal
6. Improve performance skills by learning to use the IRAC technique and testing strategies
7. Achieve academic success in each of the substantive classes

Class Content and Participation

This class is an interactive support course, and it combines the substantive law with applied analytical reasoning and performance techniques to develop a proficiency in the basic legal skills necessary to succeed in law school.

Students will learn to identify legal and factual issues, and apply the relevant rules of law, analyze the issues in order to reach a reasoned conclusion supported by the law and the facts.

The specific content and scope of each class will be determined by your professor and will vary throughout the semester to reflect the demands and increased depth of the coursework.

Every student is expected to actively participate in the class discussion if called upon. Your contributions to the discussion, especially in the analysis of the problems, will be your best chance to learn the material, raise relevant questions and clarify your understanding.

Attendance Policy

The Law School's Academic Regulations require "regular and punctual attendance." Only 3 absences are allowed during each semester of this class. Any additional absences may result in administrative withdrawal from the course. Students that arrive more than 15 minutes late for class are "tardy". However, students that leave class early will be marked absent from that class meeting.

Please note that I am not authorized to "excuse" an absence for any reason.

Recording of Class Sessions

ANY FORM OF RECORDING A SESSION OF THIS CLASS IS NOT PERMITTED UNLESS IT HAS BEEN SPECIFICALLY AUTHORIZED BY THE PROFESSOR.. Any covert recording may be considered a violation of the student honor code and could result in dismissal. If you have a specific need regarding a particular class, please contact your professor in advance to discuss the issue.

Essay and Multistate Questions & Additional Assignments

The coursework during the semester may include academic assessments through essay and multiple choice questions. The goal is to measure your knowledge of the subjects in depth in order to provide a realistic benchmark of your progress and abilities.

At present this course does NOT include a midterm or a final examination.

Any additional assignments are discretionary and your professor may or may not include them in the curriculum for that particular subject.

Errata and corrigendum

Although every effort has been made to ensure the accuracy of this document, it is always possible that it may contain some errors. If any student notices any inconsistency, or omission or duplication of information, please inform us of the problem, and we will correct it promptly.

REQUIRED COURSE MATERIALS: NONE

Suggested supplemental material: To be determined by specific professor

ACADEMIC SUPPORT LAB CLASS
SCHEDULE

August 24 2021

Professor Lee 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

August 31 2021

Professor Olszewski 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

September 7 2021

Professor Lee 6:30-8:00 p.m. Professor Olszewski 8:30-10:00 p.m.

September 14

Professor Lee 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

September 21

Professor Olszewski 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

September 28

Professor Lee 6:30-8:00 p.m. Professor Olszewski 8:30-10:00 p.m.

October 5

Professor Lee 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

October 12

Professor Olszewski 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

October 19

Professor Lee 6:30-8:00 p.m. Katie Olszewski 8:30-10:00 p.m.

October 26

Professor Lee 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

November 2 2021

Professor Olszewski 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

November 9

Professor Lee 6:30-8:00 p.m. Professor Olszewski 8:30-10:00 p.m.

November 16 2021

Professor Lee 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

November 23 2021

NO CLASS

November 30 2021

Professor Olszewski 6:30-8:00 p.m. Professor Kasamatsu 8:30-10:00 p.m.

December 7 2021

Professor Lee 6:30-8:00 p.m. Professor Olszewski 8:30-10:00 p.m.

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