

SCHOOL OF LAW BLUEPRINT FOR ACADEMIC EXCELLENCE AY 2013-14

I. Executive Summary

(1) Academic Dashboard Targets

Because the School of Law enrolls only post-baccalaureate students and because legal scholarship does not typically rely on external grant funding, most of the eight elements of the University Academic Dashboard are either inapplicable to the School of Law or do not provide an effective quality comparison with other law schools. However, at least some of the University Dashboard elements are easily translated into law school equivalents.

The School of Law uses the following elements for the Law School Academic Dashboard, selected to provide the best objective indicators available of the School of Law's performance as compared with peer and peer aspirant schools. Each reflects a University performance parameter, as indicated in italics.

- (1) Median entering full-time student LSAT scores; (*quality of students*)
- (2) Number of full-time J.D. students; (*enrollment*)
- (3) Student-faculty ratio; (*quality of the academic experience*)
- (4) Bar passage rate of graduates taking the bar exam for the first time in the state in which the largest percentage of graduates take the bar exam; (*outcome measure*)
- (5) Annual per capita average of faculty publications authored by full-time tenured and tenure-track faculty and published in top-50 law reviews or top-three specialty journals within a field (as defined by the Washington and Lee University Law School annual rankings of legal journals).(*scholarship productivity and quality*)

The attached charts indicate performance of the School of Law in each regard. Although these are useful measures, we emphasize that they are not exclusive measures of the quality of the School of Law, its students, or its faculty.

(2) Key Performance Parameters

The School of Law's goal of developing a strong national reputation as a vibrant educational institution with excellent teaching and a curriculum designed to prepare its graduates for modern practice is consistent with the key performance parameter of teaching excellence. Recent hirings of excellent classroom teachers, and changes in curriculum to emphasize the skills and knowledge needed for transition into practice indicate progress in this regard.

The goal of developing a strong national reputation for scholarship quality and productivity is consistent with that key parameter of the University. Selection of three faculty to publish books in major University presses and the rise in articles published in major law reviews are indicators of progress.

Law School faculty have served in major roles as reporters for a national and two state law reform projects in the past year. Other faculty have raised law school involvement in key state and local advisory and service roles, advancing the service parameter of the University.

Active consideration is being given to the effective use of technology and other assets to ensure sustainability of programs.

II. Meeting Academic Dashboard Targets

University Academic Dashboard

The School of Law contributes directly to only three of the University's eight Academic Dashboard Components: Student-Faculty Ratio, Research Expenditures, and National Honors and Awards for Faculty. The hiring of additional faculty and small decrease in enrollment has improved the student-faculty ratio within the School of Law in the past year. That ratio will improve further in the next reporting year because new faculty will then be included in both major semesters of the year. Also, additional faculty replenishment will occur, with no increase in enrollment. The School of Law continues to contribute little to overall University research expenditures, and no major change is anticipated in that regard immediately. During the past two years, two faculty of the School of Law (Professors Crocker in Germany and Eagle in Northern Ireland) have received Fulbright awards for study abroad. Professor Alford has engaged in several projects abroad (Nigeria and China) as a Fulbright Specialist. Professor Emeritus Flanagan has recently been selected as a Fulbright Specialist. Professor Crocker also was a 2010-11 Visiting Scholar at the American Academy of Arts & Sciences in Cambridge, MA. Faculty continue to seek other prestigious appointments, and the School is committed to encouraging those efforts. Associate Dean Lisa Eichhorn has also begun a more aggressive effort to nominate faculty for awards, in an effort to build recognition leading to increased future consideration of our faculty for major national awards.

School of Law Academic Dashboard

(1) Median entering full-time student LSAT scores

Given a 30% decrease in the national and local applicant pools over the past two years, the goal for Fall 2013 is to enroll an entering class with a steady or only slightly decreased median LSAT score as compared to Fall 2012. It is expected that peer and peer aspirant schools will have a similar challenge. The Office of Admissions has aggressively recruited in-person on college campuses in the region, has issued a new Admissions Bulletin designed to more effectively market South Carolina as providing a vibrant academic experience, has waived application fees for students with LSAT scores above our median targets, and has aggressively committed the limited scholarship funds available in an effort to compete for top-LSAT applicants. The School has recruited alumni both in and outside of South Carolina to contact admitted students, encouraging the applicants to matriculate at South Carolina.

Curricular adaptations, emphasizing the skills and knowledge needed to transition into practice, and additions to our career services efforts have positioned the school to address concerns of prospective students about employment after law school. We have taken intermediate steps to modernize our web presence prior to the University migration to a new platform, with a particular emphasis on admissions information. We post, as transparently and as prominently as possible, all ABA-mandated "consumer information." We also have begun to market to new students the unique opportunities available to our students at the National Advocacy Center. The School of Law will begin its Children's Law Certificate program in Fall 2013 and has retained a key environmental faculty member with plans to build a signature

environmental effort, allowing the school increasingly to market specific areas of academic opportunities to prospective students.

(2) Number of full-time J.D. students

Financial realities require that we not cut the size of our entering class further. Given our current faculty resources and the goals of a flagship state university, we anticipate remaining at our current size for the near future.

(3) Student-faculty ratio

This element is discussed under the sub-heading for University Academic Dashboard.

(4) Bar passage rate of graduates taking the bar exam for the first time in the state in which the largest percentage of graduates take the bar exam

Our graduates' South Carolina bar passage rate has slipped slightly over the past several years. Among 2012 graduates taking the July 2012 South Carolina bar exam, the pass rate was 81%. Although more graduates continue to take the bar exam in South Carolina than in any other state by a wide margin, the percentage taking the exam in other states is now significant. We do not receive complete data on all graduates who take the bar exam in other jurisdictions, but partial information received from other states indicates that graduates leaving South Carolina pass the bar exam in high percentages. The School of Law has hired a full-time staff member who has developed a program designed to assist third-year students (particularly those who are "at-risk") in preparing for the bar exam.

(5) Annual per capita average of faculty publications authored by full-time tenured and tenure-track faculty and published in top-50 law reviews or top-three specialty journals within a field (as defined by the Washington and Lee University Law School annual rankings of legal journals)

The faculty continues to discuss the best means of measuring scholarship quality and quantity. Difficulties arise both in acquiring equivalent data from other law schools and in ensuring that the parameters chosen are the best for the measures sought. Initial data indicate the performance of this measure may vary significantly from year to year, but South Carolina measures well against two peers from whom information could be obtained. In addition, three faculty currently have book contracts with NYU Press (Yablon-Zug), Oxford University Press (Said), and Yale University Press (Crocker). Associate Dean Eichhorn has instituted "works in progress" luncheons and has worked closely with faculty to assist in their publication efforts. New faculty receive senior mentors, and the School of Law has encouraged and funded faculty travel to speak at other schools and develop national reputations.

III. Law School Goals and Contribution to the University's Key Performance Parameters

2013-14 ACADEMIC YEAR GOALS

Goal 1

Strengthen and diversify faculty through excellent hiring and the implementation of a program to provide faculty with assistance in developing and fulfilling a robust plan of scholarly production. (Teaching Excellence, Scholarship Reputation, Service to State)

Progress to Date:

- Four tenured or tenure-track faculty joined the School of Law in Summer 2012, along with a visiting assistant professor and a visiting professor, both of whom are teaching in AY 2012-13 and AY 2013-14 and will be candidates for full-time positions to be filled in Fall 2013. One of the new tenure-track faculty hired is a minority female. Both visiting faculty are minority females. One additional tenure-track clinical faculty member has been hired with outstanding academic credentials for Fall 2013. A second candidate, who is female, is expected to be offered a senior position. Additional offers were made to two minority males and two female candidates, but none was accepted.
- The Associate Dean for Faculty Development has developed programs to encourage sharing of scholarship among faculty for feedback and carefully monitors faculty progress on scholarship in order to encourage and offer assistance as appropriate.
- The Law School hired a new Faculty Services librarian whose job is to assist faculty in their scholarship productivity and hired a new Director of Academic Technology, who is modernizing law school use of technology in teaching and research.

Plans for Upcoming Year:

- Hire additional tenured or tenure-track faculty members in all or some of the following fields: Environmental Law (junior lateral or entry-level); Tax Law (mid-level lateral); Tax Law (entry level); Clinics (junior lateral or entry-level); Criminal Law/International (entry-level, FRI); Business Law.
- The School is currently filling an additional administrative support position, dedicated in part to assisting final production of faculty scholarship.

Goal 2

Establish a clear strategic plan for student admissions and recruitment and establish a clear communications strategy for effective communications with prospective students, alumni, and other academics. (Sustainability)

Progress to Date:

- Hired a full-time communications specialist for the School of Law to produce materials separately or in conjunction with the University for distribution to prospective students, alumni, and academic colleagues around the nation and world.
- Interim modernization of the website pending the University CMS migration.
- Established an alumni organization, one purpose of which is to assist in student recruitment.
- See Dashboard Element 1 for discussion of other prospective student recruitment efforts already underway.

Plans for Upcoming Year:

- Continue to develop and adapt a comprehensive admissions and recruitment strategy, including pipeline program creation.
- Develop an undergraduate moot court competition to raise the profile of the School of Law with high quality undergraduates at USC and other colleges and universities.
- Fully implement the University CMS migration for the School of Law website.

Goal 3

Improve student academic advisement program. (Teaching Excellence, Sustainability)

Progress to Date:

- Modified website to make electronically provided registration guidance more user-friendly.
- Hired a full-time academic assistance director.

Plans for Upcoming Year:

- Develop and implement a more comprehensive plan for effective and consistent academic counseling.

Goal 4

Design leadership training and greater professional development opportunities for students; establish additional capstone practicum courses. (Service to State and Profession)

Progress to Date:

- First two capstone courses started. Children's law certificate program approved by faculty.
- NMR&S Center convened a group of national experts to discuss potential for leadership development program.

Plans for Upcoming Year:

- Hire adjunct faculty to lead additional capstone experiences in Spring 2014.
- NMR&S Center on Professionalism will hire new director and develop a clear set of goals and strategy for development of a leadership training program for law students and lawyers.
- Develop a judge-in-residence program.

Goal 5

Increase programmatic efforts of the Rule of Law Collaborative with goal of creating a body of work to support grant funding for a Center. (Scholarship Reputation, Service)

Progress to Date:

- The School of Law has hired a full-time tenure-track faculty member to work in the field of Rule of Law with particular expertise on Africa. Professor Joel Samuels spends a significant portion of his time on work of the Rule of Law Collaborative.
- The School is sponsoring visits to campus by various individuals with expertise in Rule of Law issues.

Plans for Upcoming Year:

- Develop strategic plan for implementation and funding of Rule of Law Center.

FIVE-YEAR GOALS

Goal 1

Significantly elevate the national stature of the School of Law while fulfilling the Law School's public mission within the State of South Carolina. (Service and Scholarship Reputation)

- Achieve annual faculty placement of 15-20 articles in top-50 law reviews or top-three specialty journals within a field (as defined by Washington and Lee Law School annual rankings of Journals) (or equivalent success in book placements with major law publishers).
- Establish a nationally recognized, endowed Rule of Law Center; obtain approval of and fully implement a nationally recognized certificate program in Children's Law involving the Children's Law Center.
- Develop a unified marketing and communications strategy for the School of Law. Develop a robust scholar commons.
- Encourage active faculty leadership in professional and academic associations or in similar professional service activities related to their field of expertise.
- Develop a schedule for hosting national and regional conferences in the new law school facility.

Goal 2

Fully staff a curriculum that meets core needs; provides each student with a clinic, practicum, or externship opportunity while in law school; and provides greater depth of study in children's law, business counseling and entrepreneurship, environmental law, rule of law, and professional leadership. (Teaching Excellence, Service to State and Profession)

- Complete hiring of 10 new tenured or tenure-track full-time faculty with excellent teaching ability, in addition to replacing departing faculty and filling additional positions provided under the Faculty Replenishment Initiative.

Goal 3

Completed design and occupation of new law school building designed to enhance academic programs and reputation; raise \$5 million in new gifts and pledges for scholarship endowment in addition to annual scholarship contributions. (Sustainability)

Goal 4

Develop entrepreneurial post-J.D. and community education program, including revenue-producing LL.M. program. (Sustainability, Service to State, and Profession)

Goal 5

Develop a clear, comprehensive strategic plan for future development of the School of Law. (Sustainability)

**APPENDIX A
Resources Needed**

Goal No.: 2013-14 Goal 1; Five-Year Goal 2			
Type of Resource	Existing	Additional	Strategy
Add'l Faculty	Provost Commitment; Replace Retiring Faculty		To fill critical need in tax and then build strategically in areas of focus

Goal No.: 2013-14 Goal 2; Five-Year Goal 4			
Type of Resource	Existing	Additional	Strategy
Staff (Assistant Admissions Director)	Operating funds saved as senior faculty retire	Tuition income from LL.M. program	Recruitment and retention of international LL.M. students and assist J.D. admissions, including pipeline program.
Staff (Admin. Asst. for Communications)	Budgeted		Assist Director of Communications

Goal No.: 2013-14 Goal 4; Five Year Goal 2			
Type of Resource	Existing	Additional	Strategy
Faculty; Center Director	FRI Position		Senior faculty experienced in research and service to profession
Part-Time Fellows to Work with Center	\$250,000 private funds already pledged		To enhance national visibility and ability to sustain work being performed through the Center
Adjunct Faculty	Operating funds saved as senior faculty retire	Solicited annual or endowed contributions	Staffing of each course requires 3 adjunct faculty at \$5,000 each

Goal No.: Five-Year Goal 4			
Type of Resource	Existing	Additional	Strategy
2 Add'l Faculty	One Regular Hiring slot	Income from LL.M. Tuition	Each teaches ½ time in LL.M. program and ½ in J.D.
Technology		Income from LL.M. Tuition	Exact needs not yet known.

Goal No.: Five-Year Goal 5			
Type of Resource	Existing	Additional	Strategy
Consultant			No current funding strategy.

APPENDIX B

Benchmarking Information

Top-10 Public Law Schools. In March 2012, the top-ten public law schools (twelve with ties) as ranked by *U.S. News and World Report* were as follows (the parenthetical number indicates the school's overall ranking among all law schools, public or private):

University of California-Berkeley (Boalt Hall) (Tied 7)
University of Virginia (Tied 7)
University of Michigan (10)
UCLA (15)
University of Texas (16)
University of Minnesota (19)
University of Washington (20)
University of Indiana – Bloomington (Tied 26)
Arizona State University (Tied 26)
University of California – Davis (Tied 29)
University of Alabama (Tied 29)
University of Iowa (Tied 29)

Peer Law Schools. The School of Law has selected the following peer law schools by considering the following factors: (1) peer institutions of the University; (2) connection with a major public research university; and (3) number of full-time J.D. students enrolled. (The parenthetical indicates the school's 2012 *U.S. News* ranking.)

University of Kentucky (62)
University of Tennessee (69)
University of Missouri-Columbia (Tied 79)
Louisiana State University (Tied 79)
University of Kansas (89)

APPENDIX C
Top Strengths and Important Recent Accomplishments

1. Expanded curricular offerings. New capstone courses and renewed emphasis on clinical education and skills training, including the children's law certificate program, place the School of Law near or in the vanguard of curriculum reform nationally. Our students also have unique access to educational opportunities at the National Advocacy Center.
2. Faculty have book contracts with major academic presses (Yale, NYU, Oxford) and are authoring major national casebooks in several fields.
3. University investment in school has attracted high quality new and lateral faculty hires. Retention of existing faculty has stabilized.
4. Graduates are in positions of national leadership in the profession, including presidents-elect of the American Bar Association and the American Board of Trial Advocates, raising the profile of the school.
5. Recent graduates have established and maintained a record of excellence as graduate students at the leading national graduate tax (LL.M.) programs at NYU, Florida, and Georgetown.
6. School has maintained national leadership in lawyer mentoring.
7. School has an energized and engaged student body; expanded career services efforts have enhanced individual counseling and assistance for students in their job search.
8. School remains a national leader in pro bono student volunteer opportunities, with expanding pro bono offerings for students in the community. Volunteer service has taken on prominence in the student life.
9. Law students serve as the editorial board of one of the nation's most widely circulated law reviews, the American Bar Association Real Property, Trust & Estate Law Journal.

APPENDIX D
Weaknesses and Plans to Address Needs

1. *Shrinking National Applicant Pool* – We have adjusted entry criteria to maintain class size in light of reduced national applicant pool. We are developing pipeline efforts, new marketing materials, and enhanced web presence to attract higher percentage of applicants within smaller pool. We have engaged in personal recruitment of potential students and involved alumni in recruitment of accepted students to increase yield rates among those accepted. There is a critical need for major new scholarship resources. Need exists for one additional admissions recruiter.
2. *Low National Ranking: Impact on Student and Employer Recruitment* – We have hired a communications director to communicate more aggressively a clear academic identity for the school. We are encouraging faculty leadership in national academic and professional organizations to raise the School’s profile. The Associate Dean for Faculty Development has instituted “works-in-progress” luncheons to enhance quality of faculty scholarly production; informal scholarly presentations by faculty from other schools; aggressively developing personal contacts with potential employers and hosting events to bring together employers and recent graduates. Strengthened connections of Law School to flagship University helps distinguish our school from stand-alone competitors.
3. *Condition of Facility* –University has placed a new facility at top of capital improvement priorities.
4. *Lack of Communications Strategy* – We continue to work with University Division of Communications to implement Integrated Marketing and Communications Plan. We have upgraded our social media presence, have undertaken intermediate steps to upgrade web site prior to University conversion, and will produce a school specific “mini-zine” for distribution with Carolinian alumni magazine. We have hired a writer as an internal Communications Director.
5. *Recent Slippage in Bar Passage Rate* – We have hired a full-time staff professional to provide academic assistance and bar preparation assistance. Because the bar preparation program is in its first semester, its impact cannot yet be assessed. We have requested that state licensing authority provide more guidance as to its expectations for successful completion of the bar exam.
6. *Student Academic Advisement* – A disconnect currently exists between information availability and student awareness of the information. Student use of advisement services has been almost non-existent. A successful advisement program must address why prior efforts to provide advisement have not met student needs or expectations and must raise awareness of information available.

APPENDIX E
Statistical Data for School of Law

1. Number of Entering Freshmen

Not Applicable

2. Freshman Retention Rate

Not Applicable

3. Sophomore Retention Rate

Not Applicable

4. Number of Majors Enrolled:

First Professional*

Fall 2009	689
Fall 2010	696
Fall 2011	686
Fall 2012	648

* Data retained by Law School and reported to ABA differs, apparently due to differing reporting dates

5. Number of Entering First Professional Students and Median LSAT:

<u>Year</u>	<u>Number</u>	<u>LSAT</u>
Fall 2009	240	158
Fall 2010	240	159
Fall 2011	213	158
Fall 2012	213	157

6. Number of Graduates:

First Professional

Fall 2011	6
Spring 2012	213
Summer 2012	7

7. 4-year, 5-year, 6-year Graduation Rates

Not Applicable

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8. Total Credit Hours Generated by Unit Regardless of Major:

Fall 2011	9,749
Spring 2012	9,535
Summer 2012	501

9. Percent of credit hours by undergraduate major taught by faculty with highest terminal degree

Not Applicable

10. Percent of credit hours by undergraduate major taught by full-time faculty

Not Applicable

11. Number of Faculty

	<u>Fall 2010</u>	<u>Fall 2011</u>	<u>Fall 2012</u>
Department of Legal Studies			
Tenured/Tenure Track			
Professor	13	12	15
Associate Professor	11	13	14
Assistant Professor	7	5	3
Non-Tenure Track Legal Writing Instructors (Full-Time)	6	7	7
Adjunct	20	19	22
Department of Clinical Legal Studies			
Tenured/Tenure Track			
Professor	1	1	1
Associate professor	2	2	2
Assistant Professor	1	1	1
Law Library			
Tenured/Tenure Track Law Librarian	8	8	8

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12. Current number and change in the number of tenure-track and tenured faculty from underrepresented minority groups from FY 2011.

	FY 2011	FY 2012	FY 2013	Change FY11/FY13
Black or African American	4	4	4	None
Asian	1	1	2	+1
N/R Alien	1	1	1	None
Female	11	9	10	-1

APPENDIX F
Statistical Research Data for School of Law

Total External Award Funding FY 12: \$3,037,686

Children's Law Center	\$3,005,711
Pamela Robinson (Pro Bono Program)	\$ 25,000
Elizabeth Niehaus (Student Work)	\$ 6,975

Sources of Funding:

Federal:	\$2,320,712
State:	\$ 674,999
Local:	\$ 6,975
Philanthropy	\$ 35,000

Information from <http://sam.research.sc.edu/awards.html>

SCHOOL OF LAW

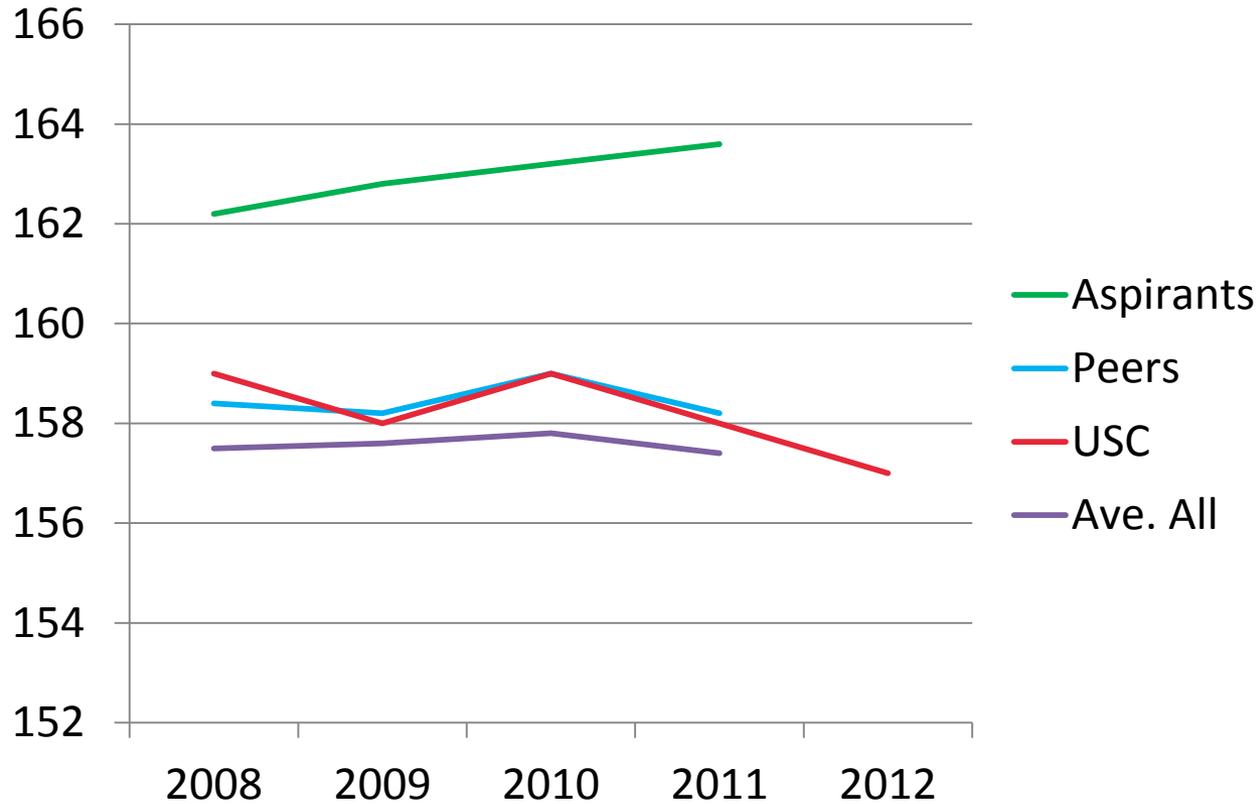
Peer Aspirant Law Schools

University of Maryland
University of North Carolina-Chapel Hill
University of Georgia
University of Alabama
The Ohio State University

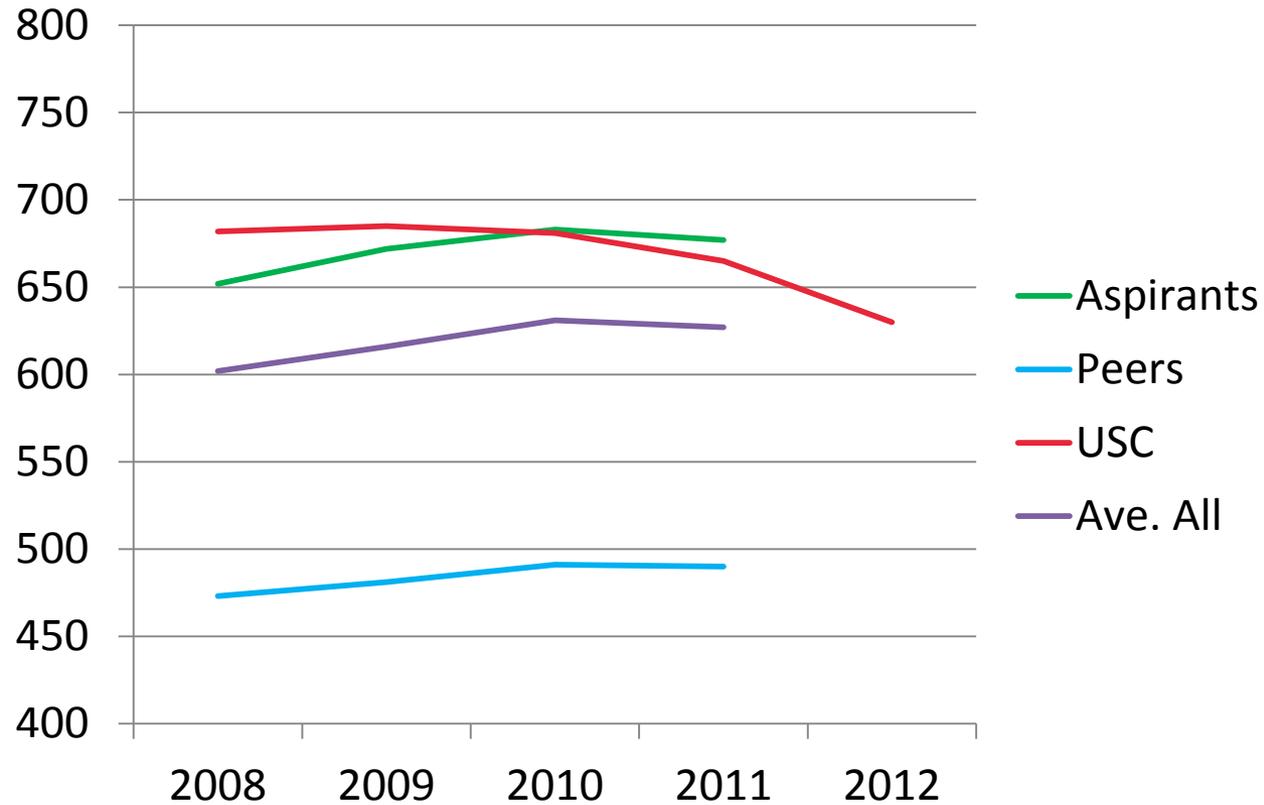
Peer Law Schools

University of Kentucky
University of Tennessee
University of Missouri-Columbia
Louisiana State University
University of Kansas

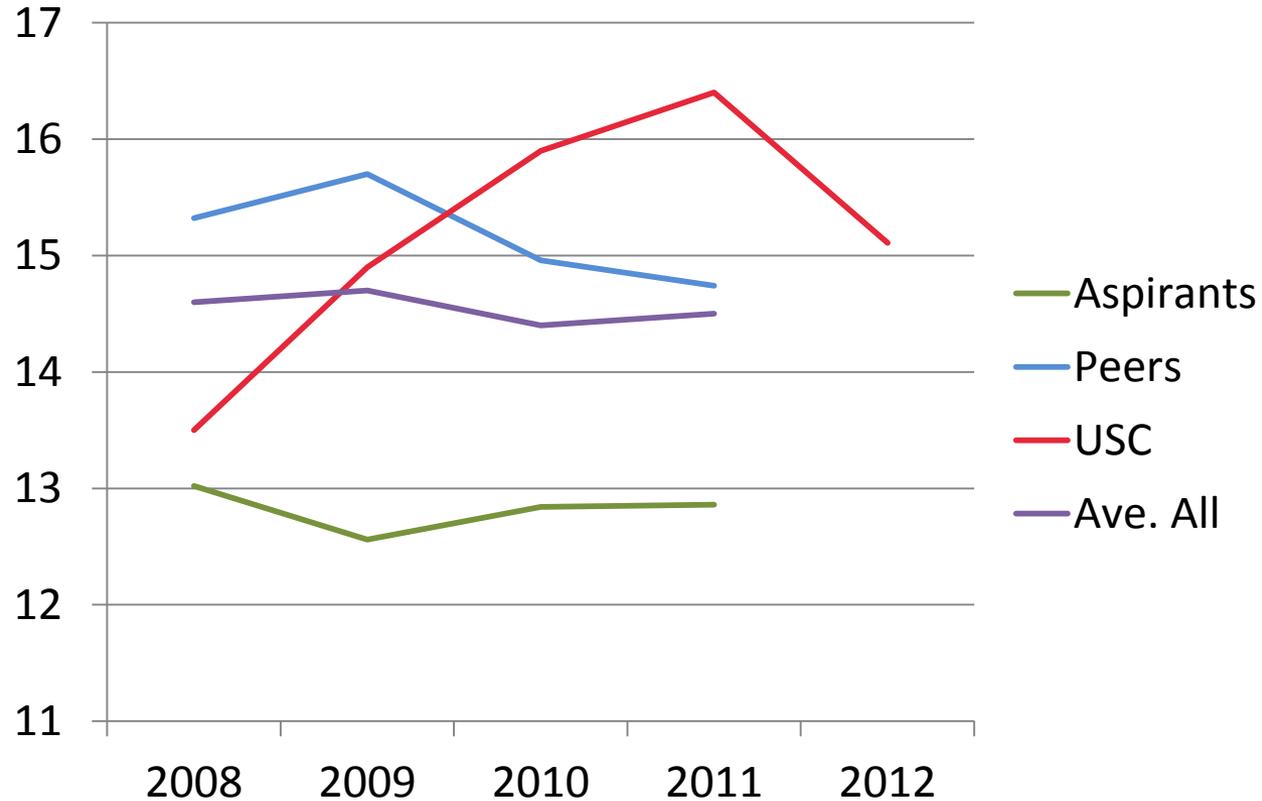
No. 1: Median Entering-Class LSAT



No. 2: Total Fulltime JD Enrollment



No. 3: Student-Faculty Ratio



No. 5: Publications in Top-50 Law Reviews and Top-3 Specialty Journals

