

ABA Major Change Questionnaire

I. General Description of the Proposed Change

1. Describe in detail the precise nature of the structural programmatic change for which the law school seeks acquiescence.

The Rutgers University – Camden School of Law and the Rutgers University – Newark School of Law, each of which is currently individually accredited, seek to merge, creating a single accredited law school located in Newark and Camden. The new Rutgers University School of Law would have a single admissions process, a curriculum running on a coordinated schedule, and a unified set of graduation requirements. The tenured and tenure-track faculty would remain subject to a single set of standards for appointment, tenure, and promotion. There would be a unified administrative structure with Co-Deans located in Camden and Newark, operating with a coordinated financial plan and each reporting to the Chancellors of Rutgers University-Camden and Rutgers University-Newark, who will separately allocate and manage budgets and resources at Rutgers University – Camden and Rutgers University – Newark, respectively. Finally, Rutgers Law would remain an anchor institution, civically engaged, serving the communities of Camden and Newark through partnering with those communities, as well as the State of New Jersey as a whole.

Prospective students would apply to the Rutgers University School of Law using a single application. On the application, they would be invited to state a geographic preference, if any. Students would be expected to take all of their first-year classes at a single location. In the second and third years (or second, third and fourth years for part-time students), students would have the option of enrolling in classes in either Newark or Camden, either by traveling to the other site, or through cutting-edge immersive distance education technology. We plan to offer a variety of courses in our paired immersive classrooms, expanding the range of curricular options available to students. Students would have access to an extraordinarily comprehensive curriculum, spanning the widest range of doctrinal, interdisciplinary, and experiential courses, and would be subject to a single set of graduation requirements.

The standards for faculty appointment, tenure, and promotion would not change under the merger, as all Rutgers faculty are already subject to a single System-wide set of standards. Combined, the Law School would boast one of the largest faculties in the nation, and through synergies would have uncommon strength in a number of areas of law.

The Rutgers University School of Law would have two Co-Deans, one located at Rutgers University – Camden and one at Rutgers University – Newark. The Co-Deans would jointly oversee and agree on all matters affecting the merged law school, though each would have the discretion to make purely local day-to-day decisions. Each Co-Dean would also be part of the executive team of Rutgers University – Newark and Rutgers University – Camden, respectively.

The Co-Deans would maintain their individual lines of authority, reporting to the Chancellor of Rutgers University –Newark or of Rutgers University – Camden. They would work with both Chancellors and consult with the President in those matters affecting the Law School as a whole.

The Law School's budgeting would be coordinated by the two Chancellors in a manner consistent with both the authority that each has and the University System's new Responsibility Centered Management budgeting method. Budgeting would also be consistent with the fundamental premise of the merger that there be no incentive for one branch of the Law School to compete with the other. Each Co-Dean would work with his/her Chancellor to define the annual budget within the context of Rutgers University – Camden and Rutgers University – Newark, and the Co-Deans together with both Chancellors would devise the strategic directions of the Law School as a whole.

2. State with specificity the reasons for the proposed program or change, the goals sought to be achieved, and the means by which those goals will be achieved.

Rutgers University is now a System, comprised of Rutgers University – Camden, Rutgers University – Newark, Rutgers University – New Brunswick, and Rutgers Biomedical and Health Sciences. The President of Rutgers presides over the University System, and the Chancellors of each of the four major components of the System govern their respective units.

Rutgers's two law schools were, at one point, a single unit administered by one dean, but the schools became separately accredited and autonomous from each other in 1967. This proposal seeks to reunite the schools under a renewed and deliberate strategic plan by Rutgers to invest in legal education and by the law schools to use technology and the creation of a critical mass of scholars and students to accomplish the mission of a 21st Century innovative law school.

Merging the University's two law schools was first proposed by former Deans Rayman Solomon and John Farmer, from Camden and Newark respectively, and won the support of former President Richard McCormick. They recognized that by combining the law schools in Camden and Newark, a unified Rutgers University School of Law would be greater than the sum of its parts. Current President Robert Barchi

shares this vision, as part of his goal to create a unified and cohesive Rutgers University System. Finally and crucially, the President has made an initial commitment of \$18 Million over three years to launch the Rutgers University School of Law.

Now, the Chancellors of Rutgers University – Newark, Nancy Cantor, and Rutgers University – Camden, Phoebe Haddon, have both impressed their visions of the merger onto the planning of this process as a way of strengthening the ability of the combined entity to participate in each of the home institutions and enhancing the contributions that each makes to the fabric of the Camden and Newark communities. Each location of the law school is an integral part of the plan of both Chancellors, deeply engaged in their respective communities.

At the same time, with the on-going challenges facing the legal economy and the legal academy, merging is wise. As a single law school, the Rutgers University School of Law would be more efficient, financially sound, and better positioned to compete in both admissions and placement. We expect the merged law school to enjoy a higher national profile than either constituent law school now because of its merged size, diverse faculty and program and course offerings, and the fact that it would be *the* Rutgers Law School. The prospect of having significant alumni bases in two of the nation's five largest legal markets, New York and Philadelphia, should also attract students who are more cognizant than ever of the importance to a career of networking. Having two alumni hubs would increase the employment opportunities available to students.

The goal of merging, then, is to provide the University System with a single excellent law school that has a strong national reputation, which will likely attract better students and facilitate their job placements. The administrations, faculties, and students in both Camden and Newark have spent considerable time over the past two academic years discussing and weighing the options leading up to this decision, identifying the underlying principles of a merged law school, voting to proceed with the merger, and are now engaged in operationalizing those principles. Our curricula and crediting are now parallel; our schedules are already partially in sync; we are in the process of constructing paired immersive distance education classrooms; our joint curriculum committee is finalizing a proposal that would enhance experiential learning at the merged law school, making Rutgers Law a national leader; a joint library integration committee is reviewing processes for combining the two existing law schools' catalogs; and our two flagship, student-edited law reviews have already merged under the new banner of the *Rutgers University Law Review*.

3. State the nature and extent of faculty involvement in the development of the proposed program or change and the extent to which the faculty will be involved in the implementation of the proposal.

Faculty have been fully informed of and deeply engaged in the process of merging the two schools. During the fall of 2012, faculty sub-committees convened to articulate and draft the underlying principles and outline of the merged law school. Following faculty deliberations in both Camden and Newark, each faculty voted in favor of merging in early 2013, based on the articulated principles and outline. During the last and current academic years, a committee composed of faculty from both Camden and Newark have been exploring curricular changes that would be implemented at the Rutgers University School of Law, and which would solidify Rutgers Law's position as a national leader in experiential learning.

4. Report whether University or other approval is required for this change. If it is, report whether that approval has been received or, if not, the plan for obtaining approval.

To proceed with the merger, approval is required from the Rutgers University Board of Governors as well as the University Senate. Former Deans Solomon and Farmer apprised the Board of Governors of the planned merger in early 2013, and the Board was supportive. Before the merger can be completed, it will be necessary to return to the Board of Governors to gain its final approval, and to gain the approval of the faculty-led University Senate. We expect to seek and gain that approval in 2015.

5. Attach a copy of all planning documents and budget, staffing, curriculum, admissions and enrollment projections.

See Parts II (Curriculum and Instructional Resources), III (Admissions and Students), IV (Library and Technology), and V (Financial Resources), and VI (Mergers, Affiliations, Acquisition or Transfer), which provide all of the information requested.

6. Attach copies of the most recent self-study and strategic plan of the law school and the two most recent annual questionnaires.

See the attached self-studies from both the Rutgers University – Newark School of Law and the Rutgers University – Camden School of Law, each school's strategic plan, as well as each school's two most recent Annual Questionnaires.

II. Curriculum and Instructional Resources

1. Describe whether the following items will differ in the proposed program from what is in place for the existing program, and if there are differences, identify the differences:

a. Minimum and standard student course loads (in credit hours).

The two schools' practices are the same. By the end of the 2014-15 academic year, 1L credit loads will be in sync.

b. The sequencing and delivery of instruction in required courses (include differences in the order in which courses are taken, the size of sections offered, the status of instructors, and methods of instruction).

The sequence of 1L courses can vary depending on personnel available each semester. That said, it tends to be a stable lineup (with slightly more variation in the evening sequence). However, 1L students will remain "in residence" during their first year, and by the end of that year, all students in Camden and Newark will have completed the same menu of courses.

c. The timing and delivery of instruction in other courses that are considered part of the core curriculum (include differences in the frequency of offerings, size of sections offered, the status of instructors and methods of instruction).

The only difference at this time is the status of each school's Legal Writing faculty. The Camden faculty are full-time faculty holding clinical titles. Effective July 1, 2015, the Newark legal writing faculty will be full-time non-tenure track with the title "Instructor of Law."

d. Availability, accessibility and staffing of other elective offerings.

Each school offers a rich and varied curriculum, and the merger will provide even more options for students, as courses that might draw an insufficient enrollment at one location will now have a larger pool of students, with the benefit of immersive classroom technology. This technology, as well as increased faculty and student mobility between Camden and Newark, will significantly enhance the depth and breadth of courses available to all students.

e. Rigorous writing experiences in and after the first year.

Each school has an upper-class writing requirement. Camden has an additional intensive writing requirement. Newark offers upper level intensive writing courses, but they are not currently required for graduation. The schools are in the process of harmonizing these requirements.

f. Opportunities for study in seminars or by directed research and in small classes.

No change.

g. Opportunities for instruction in professional skills.

No change; however, the schools are considering the recommendations of a joint task force to create more experiential learning opportunities.

h. Live client or other real-life practice experiences.

Each school has a number of clinics. Although there are different subject matter offerings at each location, both schools share the same overall mission of providing legal services for the public good. Each location's clinics will continue to operate in line with established practices after the merger. These experiential opportunities will be available to every student.

i. Standards for good standing, advancement and graduation.

The schools already have identical good standing and advancement requirements. They also require the same number of credits for graduation. However, each school has a specific set of conventions that describe requirements for, or limitations on, specific categories of courses. Roughly, Newark establishes a minimum for "in-class law" courses, while Camden limits "non-course credits". We are in the process of "translating" these differing terminologies to arrive at a common set of standards.

j. Availability and accessibility of academic support programs.

Academic support will not formally change after merger, but we expect these services to be enhanced as we coordinate our approaches.

k. Requirements to accelerate graduation.

No change.

l. Availability and accessibility of law review, moot court and other extracurricular activities.

We are developing a plan to integrate the journals at both locations. This will ensure that students in either Camden or Newark have the opportunity to participate, while eliminating costly redundancies. Camden's *Rutgers Law Journal* and Newark's *Rutgers Law Review* have already merged and will be producing their first combined issue under the heading of the *Rutgers University Law Review* during Fall 2014. Student access to journal participation will be unchanged.

2. Do you anticipate any increase in the size of the faculty to accommodate the addition of the proposed program? If not, how will full-time teaching resources be allocated to assure adequate resources to both the new and existing program?

No. The student populations of both sites are projected to be somewhat lower than their recent historical averages, which have supplied the basis for current staffing levels. Over time, faculty attrition through retirements will right-size the staffing levels to comport with the somewhat lower enrollments at the two locations.

III. Admissions and Students

1. Will your admissions procedures for the new program differ from those in place for the existing program? If so, describe the differences and the reasons for them.

The Rutgers University School of Law will have a single admissions process, and will therefore replace the two independent admissions processes now in place at the law schools in Camden and Newark. The merged law school will use a single application, and the Law School's admissions office will allocate students to either Camden or Newark for a student's first year based on the preferences of the applicant and the needs of the institution. Substantively, there will be no change in admissions: the existing law schools in Camden and Newark have historically attracted similar applicants and have reviewed applications through similar lenses, valuing objective measures of academic excellence, life experience, as well as all manner of diversity. Both schools have a strong history of promoting access for underrepresented groups and nontraditional law students.

2. If they are not already included in the attached planning documents, provide admissions projections for the new program, including projections for the size of the applicant pool, the number that you expect to admit from that pool, and the number you expect will enroll, and projections for the impact the new program will have, if any, on applications, admissions and enrollments for the existing program.

The Rutgers University School of Law plans to enroll between 1000-1100 students, and approximately 350 students per class. It is difficult to project the size of the application pool due to the changing landscape in legal academia, but based on the most recent data for Camden's and Newark's existing applicant pools, we would expect the Rutgers University School of Law to receive between 2500-2800 applications next year. (In 2013, Camden received approximately 1200 applications and Newark received approximately 1800.) Of that pool, we would plan to admit between 800-900 students. These projections attempt to take into account the countervailing pressures of a shrinking applicant population and a nationally more visible merged law school.

Both locations would continue to offer a part-time evening scheduling option. Part-time enrollments have been particularly volatile in recent years, but given recent data, we estimate that approximately 70-80 students in each class would be part-time evening students.

3. What modifications or additions, if any, have you made to your plans for achieving compliance with Standard 211 with regard to your new program? What impact, if any, do you anticipate your new program will have on diversity in your student body?

The law schools in Camden and Newark already take diversity very

seriously – indeed, Newark was a pioneer in this regard. Newark was found to be in compliance with Standard 211 in its 2013 site inspection, and the committee that visited Camden in 2014 raised no concerns about Standard 211 in its report. Diversity will be a central value of the Rutgers University School of Law. The merger will have no negative impact; if the merger has any effect on diversity in the student body at all, we expect it to be positive.

4. What steps will be taken to assure that basic student services are provided to students in the new program (including maintenance of accurate student records, academic advising and counseling, financial aid counseling, and career counseling) in accordance with Standard 511?

The Rutgers University School of Law will draw on the existing student services now provided in Camden and Newark, which have already been found to be compliance with Standard 511 during site inspections that both law schools have recently undergone. The merger will have no negative impact.

5. What adjustments, if any, will your law school or university financial aid office make in hours of operation and staffing to accommodate the needs of students in the new program?

Students in Camden and Newark already enjoy full access to each location's respective financial aid office; no adjustments are needed.

IV. Library and Technology

1. Will the new program require additional library staffing, increased hours of operation, additional space or other increases in library resources to assure adequate access to library resources and services? If so, what steps are being taken to accommodate these additional requirements?

Students in Camden and Newark will continue to enjoy full access to each location's full-service library. No additional staffing, hours of operation, space, or resources will be necessary.

2. Will any adjustments be necessary to assure adequate access by students in the new program to computing resources and services?

No adjustments will be necessary.

V. Financial Resources

1. If they are not already included in the attached planning documents, provide budget projections (revenue and expense) for the law school for as many years as it will take to fully phase in the new program.

See the attached three-year consolidated budget projection.

VI. Mergers, Affiliations, Acquisition or Transfer

1. Describe in detail the financial resources that will be available to the law school after the change to assure the continuity of the school's educational program and the services and operations necessary to support it (including endowment, surpluses and reserves). If the financial resources available after the change will be significantly different than what is available now, describe and explain the differences.

The Rutgers University School of Law will be a merger of the existing law schools in Camden and Newark. The merged law school will continue to enjoy the same funding structure that the Camden and Newark law schools currently enjoy. Thus, the Chancellors of Camden and Newark will work with the Co-Deans on an annual coordinated budget allocation. Rutgers University as a whole is currently undergoing a transition in its budgeting protocol from "all-funds budgeting" to "responsibility-centered management," under which all units will keep what revenues they generate, less certain centralized costs, and the merged Rutgers University School of Law would be subject to responsibility-centered management. In addition, the University has committed \$18M over three years to facilitate the law school merger, and the law schools in Camden and Newark are now in year two of this additional funding. Two additional years beyond the initial three-year funding commitment may be available.

2. Describe in detail any changes in governance that are contemplated or planned in connection with the proposed merger or acquisition (including changes in the relationship between the university and any governing board or authority, between the law school and university, or between the law school administration and faculty).

The Rutgers University School of Law would have a unified administrative structure with Co-Deans located in Camden and Newark. The Co-Deans would govern the day-to-day operations of the Law School and would consult regularly. Faculty would retain their authority on all matters that they now govern, including the hiring, tenure, and promotion of faculty and the curriculum. No changes are contemplated in the relationship between the University and its Board of Governors or Board of Trustees, the Law School and the University, or the Law School administration and the faculty.

3. In the following areas, will the proposed change result in changes in law school personnel:

- a. tenure status of any current faculty members or the size of the full-time faculty
- b. size or identity of supervisory administrative staff
- c. size or identity of the professional library staff

If so, describe the change and the reasons for it and explain why the change will not have an adverse impact on the school's ability to comply with standards.

The proposed merger will result in no short-term changes in law school personnel, whether faculty, administrative staff, or library staff. Over the long term, we expect to decrease the size of the faculty through attrition to better comport with the smaller size of the law school student body, and to capture certain library staff efficiencies, also through attrition. In no case will any of these modest changes adversely affect the school's ability to comply with the standards, as the student/faculty ratio will remain generous even with faculty attrition, and as students' usage of the library has increasingly shifted from physical to remote use.