A Report on Establishment of a Law School at

Georgia State University

August 18, 1981

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A Report On

The Establishment of a Law School At Georgia State University August 18, 1981

I. Historical Perspective

Georgia State University was established in 1913 as the Georgia Tech Evening School of Commerce, became an independent unit of the University System, known as the Atlanta Extension Center of the University System of Georgia, in 1935, and became the Atlanta Division of the University of Georgia in 1947. The institution became an independent unit of the University System again, this time known as the Georgia State College of Business Administration, in 1953, and has retained the independent status, but not the same name, ever since. The name was shortened to Georgia State College in 1961, and it was changed to Georgia State University in 1969.

From its inception, the institution has had a special mission to provide education to the citizens of metropolitan Atlanta. In fulfilling this mission, primarily under the leadership of President Noah Langdale, Jr., who has served as its president since 1957, it has achieved a status as one of the great urban universities in the United States of America, offering programs of high quality in business, in the liberal arts, in the sciences, in teacher education, and in a number of other fields of particular interest to the students in its service area. The notable omission is the discipline of legal education.

One of the hallmarks of Georgia State University is its active evening program: approximately 45% of its classes are held in the evening hours. This characteristic renders Georgia State education accessible to those residents of Atlanta who hold day-time jobs and must attend classes in the evening, if at all. Approximately 45% of Georgia State students are enrolled in evening classes.

Another distinguishing characteristic of Georgia State University is the racial composition of its student body. Of the 20,537 students enrolled in the fall quarter, 1980, 3,401 (16.7%) were black. Georgia State University enrolls more black students than any other institution in the University System, including the three traditionally black senior colleges.

In 1974 the Board of Regents studied the need for a law school at Georgia State University. On July 10, 1974, the Special Study Committee which had been appointed for that purpose submitted its Report to the Board in which it went on record as favoring the establishment of a law school at Georgia State University. The Report of this Special Committee is appended as Attachment I.

On November 8, 1974, Regent Milton Jones submitted a Minority Report of the Special Committee. (He was a member of the Special Committee but apparently was not present at the meeting on July 8, 1974, when the majority report was adopted unanimously by those present and voting.) Regent Jones' Minority Report is appended as Attachment II.

Although the Board of Regents approved the Report favoring the establishment of the law school, the project was never funded; consequently, the law school never came into being.

When, in 1981, it became known that the question of the law school at Georgia State University was being reopened, the Board of Visitors of the University of Georgia School of Law adopted a resolution opposing the creation of another state-supported law school at Georgia State University at this time. This resolution is Attachment III of this report.

In 1980 the Woodrow Wilson College of Law, a private institution in Atlanta,

became frustrated in its attempt to receive American Bar Association (ABA) accreditation and decided to cease operations. In 1981 it offered its considerable assets in real property, securities, and, cash to Georgia State University on condition that there be created the Georgia State University Woodrow Wilson College of Law, and on certain other conditions contained in the Agreement that is Attachment IV to this report.

At the June 9-10, 1981, meeting of the Board of Regents, Chancellor Vernon Crawford recommended acceptance of the gift from the Woodrow Wilson College of Law, subject to the working out of any legal problems by the Executive Secretary of the Board in consultation with the Attorney General. (The Agreement shown here as Attachment IV is the result of several revisions of the original agreement. It has been reviewed by the Attorney General's office.)

After some discussion in the Board meeting on June 9-10, it was decided that Board Chairman Lamar Plunkett should appoint a Special Committee to review the matter thoroughly. The Chairman appointed to this Special Committee: Regents Thomas H. Frier, Sr., Chairman, Marie W. Dodd, Erwin A. Friedman, Elridge W. McMillan, and Sidney O. Smith, Jr. Chancellor Vernon Crawford, Vice Chancellor H. D. Propst, Executive Secretary Henry G. Neal, and Treasurer Shealy E. McCoy were appointed from the staff to work with the Special Committee.

The Special Committee met several times and discussed all relevant issues. Many people, including the President of Georgia State University, the President of the University of Georgia, the Deans of the three existing ABA accredited law schools in the State of Georgia, (at the University of Georgia, Emory University, and Mercer University), members of the House and Senate, and a representative of the Supreme Court of Georgia were interviewed. At a meeting on July 31, in Savannah, Georgia, the Chancellor's Office was asked by the Special Committee

to synthesize the arguments which had been presented, both for and against the acceptance of the gift from the Woodrow Wilson College of Law and the concomitant establishment of the law school at Georgia State University, and to make a recommendation to the Special Committee at the August, 1981, meeting of the Board. This Report is submitted in response to that request.

II. Arguments For and Against

The Board of Regents has expressed its gratitude to the Woodrow Wilson College of Law for the generous offer of its assets to Georgia State University for the purpose of establishing an accredited law school at that institution. No serious arguments were introduced to the effect that the gift should not be accepted if the proposed law school is created. The only question is that which deals with the wisdom or unwisdom of creating a new law school at Georgia State University at this time. The Board of Regents, prior to the appointment of the Special Committee in June, 1981, clearly indicated that it intended not to be bound by the 1974 decision of the Board authorizing the establishment of a law school at Georgia State University; it wished to make a new decision based on the relevant factors existing in 1981, which would be discussed in the Special Committee Report.

A. Arguments In Support of Law School

The principal arguments which support the establishment of the proposed law school are:

- 1. There is no opportunity for the working population of metropolitan Atlanta to obtain legal education from an accredited law school on a part-time or evening schedule. The proposed law school would provide that opportunity.
- 2. The black population, which is underrepresented in the legal profession, would be particularly well served by the proposed law school at Georgia State University.
- 3. A law school is well suited to Georgia State University's mission as an urban university, and to the needs of the city of Atlanta and the entire metropolitan Atlanta area.

4. If the law school is established, Georgia State University and the Board of Regents will be the beneficiaries of a gift of the considerable assets of the Woodrow Wilson College of Law.

B. Arguments in Opposition to Law School

The principal arguments opposing the establishment of the proposed law school are:

- 1. There is not sufficient demand by the public for legal services to justify the creation of another law school and the demand by qualified applicants from Georgia for legal education is being met.
- 2. The creation of a law school with a reasonable expectation of being accredited is an expensive proposition which will detract from the state's ability to fund its existing programs of higher education, included in which is an accredited law school of great renown at the University of Georgia.
- 3. The creation of a law school at Georgia State University will put it in competition with other accredited law schools in the state for a diminishing pool of qualified students. The other accredited law schools in Georgia are the Lumpkin Law School at the University of Georgia, the Emory University School of Law at Emory University, and the Walter F. George School of Law at Mercer University. Emory and Mercer are both private institutions; however, it is the policy of the Board of Regents to be cognizant of the programs available at the private colleges and universities of the state and to avoid competitive duplication when possible.
- 4. It will be difficult to attract highly qualified full-time faculty to teach in a program which will have a large evening component.

III. Discussion of Arguments Pro and Con

A. The arguments Al, A2, and Bl, above are related and may be considered together.

At the national level a strong argument can be made for the proposition that existing law schools can handle the demand for legal education. The Report of Joint Committee on the Demand for Legal Education in the 1980s, Association of American Law Schools and Law School Admission Council, July 10, 1980, shows that for the year 1978-79, 69% of all applicants to accredited law schools received at least one offer of admission, and that of those students who had LSAT scores of 450 or higher and undergraduate point averages of at least 2.50, 80% received at least one offer of admission. These acceptance rates are significantly greater than the rates for the year 1975-76, when only 57% of all applicants, and only 69% of applicants with LSAT scores of 450 or higher and undergraduate point averages of at least 2.50, received offers.

Another statistic of interest is the number of seats unfilled in the nation's approved law schools. The following table, taken from the report referenced above, shows the trend since 1970, the first year such data were collected.

	Table III - 1	
Entering Class of	Number of Seats Unfilled	Number of Schools Reporting Unfilled Seats
1970	659	16
1971	87	10
1972	27	ა ე
1973	0	2
1974	3	
1975	0	1
1976	30	0
1977	0	2
1978	0	0
1979	395	0 7

The large increase in unfilled seats from 1978 to 1979 may indicate a saturation of the demand for legal education.

At the state and local levels, the situation may be different. While it is true that virtually all students in Georgia who take the LSAT and who make an acceptable score are admitted to an ABA-accredited law school, it is also true that a person who is working in Atlanta and who knows that there is no ABA-approved law school available during off-work hours is extremely unlikely to take the LSAT.

That are hundreds of thousands of people in Atlanta who constitute the pool from which applicants to an accredited law school, offering evening classes, could be drawn. Many of these potential students are black. Blacks are under-represented in the legal profession and in students currently enrolled in programs of legal education. In 1979 only 10,000 minority students were enrolled in the nation's 169 ABA-approved schools. They constituted only 8% of the total enrollment. In Georgia, where 26.8% of the population is black, blacks constitute only 5.0% of the enrollment in the three ABA-approved law schools. Many of the people who would be served by an ABA-approved law school at Georgia State University do not have the financial resources to attend the other three such law schools in the state, even if other circumstances permitted their doing so. The tuition at the private schools is beyond the means of many, and the cost of moving to Athens and establishing residence there deters their seeking admission to the University of Georgia.

In 1975 the Southern Regional Education Board issued a report, Meeting the Needs for Legal Education in The South. That report is being brought up to

date, but the new version is not yet available.* The 1975 report showed that in 1970 Georgia had 1.34 lawyers per 1000 population, whereas the national ratio was 1.75 and the ratio for the SREB states was 1.41.

Even if it could be demonstrated that Georgia has a sufficient number of lawyers to meet its foreseeable needs, that would not constitute a definitive argument against the creation of an additional law school if, at the same time, it could be shown that there is a strong unmet demand for legal education. It is not the function of the University System to regulate the supply of professionals to fit the demand for their services; that is the function of the marketplace. At the same time, it would be unconscionable to encourage students to enter the arduous study of law if it were known in advance that there would be no rewarding opportunities available to them upon graduation.

Many students who would enroll at the proposed law school at Georgia State
University would do so for the advantage a legal education would provide
them in the conduct of their regular business or profession rather than to
prepare them to become practicing lawyers. However, the fact that there is a
strong interest in having any law school approved by the ABA could be construed
to mean that most students are considering the possibility, at least, of
becoming practicing attorneys.

Perhaps the best evidence that the proposed law school would attract a sufficient number of qualified students to permit it to get off to a good start can be found in the following statistics re applications to Woodrow Wilson

*The 1981 update Report was received after this Committee Report was completed. It is appended as Attachment V.

College of Law for the fall quarter, 1981. The total number of applicants is 212, of whom 158 are male and 54 are female; 166 are white, 34 black and 12 of unknown race; all applicants have undergraduate degrees, 48 have master's degrees and 4 have doctorates; 134 are from the Atlanta area, 56 are from Georgia outside of Atlanta, and 22 are from out-of-state; the average undergraduate point average is 2.71; the average LSAT score is 516. The distribution of LSAT scores is shown in Table III-2.

Table III-2

Range of LSAT Scores	Number of Studentsin Range
Over 600	22
551 - 600	23
501 - 550	36
451 - 500	36
400 - 450	95

An ABA-approved school, or one with the capability of becoming ABA-approved, would undoubtedly draw more applicants and better qualified ones than the Woodrow Wilson College of Law, which has no serious prospects of becoming ABA-approved.

B. The argument labeled B2 in Section II, above, addresses the cost of establishing a law school and the finiteness of the fiscal resources available to the University System and asks, in effect, can the State of Georgia afford two state-supported law schools? A similar question arises whenever a new program is proposed which duplicates an existing program at some other University System institution. Seldom, however, are the anticipated program costs as large as in the present instance. Section V of this report deals with the costs in some detail. It is possible, however, that ABA accreditation standards may require an increase in these figures.

Cost is a major factor in the consideration of this proposal; only at this time is it likely that a gift of the magnitude of that offered by the Woodrow Wilson College of Law will be available to offset a portion of that cost (argument A4, Section II, above).

- C. Argument B3, Section II addresses the question of the competition for qualified students with the other three ABA-approved law schools in the state. While it is true that some students might be drawn from Emory University or Mercer University to the proposed school, this effect is not expected to be major. The University of Georgia already constitutes a less expensive option to either of the two private schools, and it enjoys a national reputation that no newly created law school could rival. Thus, the establishment of the proposed law school at Georgia State University would offer little additional inducement to the prospective students in the Atlanta area who have traditionally been served by Emory and Mercer. The effect on the enrolTment at the University of Georgia School of Law might be more significant than on that of the private institutions; but, again, because of the established quality and national reputation of the University of Georgia's School of Law, this effect is not expected to be major.
- D. The Special Committee has been told that it will be difficult for Georgia State University to recruit a law faculty of high quality because of the heavy emphasis on the evening program. The argument (B4, Section II) runs that well-qualified faculty members in the legal fields are in great demand and that they will prefer to take appointments that will leave their evenings free. There is some validity to this argument, but other urban schools have evening programs of high quality with extensive evening offerings, in cities: that have much less to offer in the way of professional opportunities and

living conditions than Atlanta has.

E. Perhaps the most cogent argument in favor of the proposed law school is that Georgia State University and the City of Atlanta, by virtue of the kind of university and the kind of city they are, merit an ABA-approved law school which offers an evening program. Tables III-3 and III-4 show the number of ABA-approved programs available to evening students and part-time students in the 21 metropolitan areas and the 21 states, respectively, with the largest populations. These tables demonstrate that among these 21 cities, only Dallas, St. Louis, Cincinnati and Atlanta lack ABA-approved evening and part-time programs, and only North Carolina, Wisconsin, and Georgia, among these 21 states are similarly deprived.

Table III-3

Met	ropolitan Area	1980 Population	ABA Evening Program	ABA Part-time Program
1.	New York	16,065,000	7	7
2.	Los Angeles	11,439,000	2	2
3.	Chicago	7,697,000	5	5
4.	Philadelphia	5,530,000	3	3
5.	San Francisco	4,845,000	2	2
6.	Detroit	4,606,000	4	4
7.	Boston	3,443,000	2	4
8.	Houston	3,086,000	2	2
9.	Washington	3,045,000	5	5
10.	Dallas	2,964,000	0	0
11.	Cleveland	2,830,000	1	1
12.	Miami	2,579,000	1	1
13.	St. Louis	2,345,000	0	1
14.	Pittsburgh	2,261,000	1	1
15.	Baltimore	2,166,000	1	1
16.	Minneapolis	2,109,000	1	1
17.	Seattle	2,084,000	1	1
18.	Atlanta	2,029,618	0	0
19.	San Diego	1,860,000	2	2
20.	Cincinnati	1,651,000	0	0
21.	Denver	1,615,000	1	1

Table III-4

State		1980 Population	ABA Evening Program	ABA Part-time Program
2. New 3 3. Texas 4. Penns 5. Illin 6. Ohio 7. Flori 8. Michi 9. New J 10. North	s sylvania nois ida igan Versey n Carolina ichusetts na ia nia uri nsin ssee and ana ngton	23,668,562 17,557,288 14,228,383 11,866,728 11,418,461 10,797,419 9,739,992 9,258,344 7,364,158 5,874,429 5,737,037 5,490,179 5,464,265 5,346,279 4,917,444 4,705,335 4,590,750 4,216,446 4,203,972 4,130,163 4,077,148	8 5 2 2 5 4 1 4 3 0 3 1 0 1 0 0 1 2 1 2 1	9 8 3 2 5 4 1 5 3 0 4 2 0 0 2 0 1 2 2 2 2

Table III-5 shows the enrollment in ABA-accredited law schools in major metropolitan areas. Other relevant statistics on this general point are the following:

- 1. Of the 169 ABA-approved law schools in the United States, 63 have evening programs.
- 2. Of the 169 ABA-approved law schools in the United States, 83 have part-time programs.
- Of the 50 states, 24 states have ABA-approved law schools with evening programs. The Commonwealth of Puerto Rico has 3 ABA-approved law schools with evening programs.
- Of the 50 states, 29 states have ABA-approved law schools with part-time programs. The Commonwealth of Puerto Rico has 3 ABA-approved schools with part-time programs.
- The nearest ABA-approved law schools for Atlanta area residents to obtain an evening or part-time legal education at the present time are as follows:
 - a. Memphis State University, Memphis Tennessee;
 - The University of Miami, Miami, Florida

TABLE III - 5

ENROLLMENT IN ABA ACCREDITED LAW SCHOOLS IN MAJOR METROPOLITAN AREAS

INSTITUTIONS IN METRO AREAS	NUMBER OF I FULL-TIME	AV STUDENTS PART-TIME
Atlanta, Georgia *Georgia State University Emory University	0 800 800	0 0
Baltimore, Maryland University of Baltimore University of Maryland	4 85 <u>507</u> 992	549 248 797
Boston, Massachusetts *University of Massachusetts - Boston Suffolk University Law School New England School of Law Boston College Boston University *Northeastern Harvard	0 968 542 750 1,050 394 1,780 5,484	0 856 428 0 0 0 0
Chicago, Illinois *University of Illinois - Chicago Circle De Paul University Illinois Institute of Technology John Marshall Law School Loyola University Northwestern University of Chicago Cincinnati, Ohio	0 809 605 1,001 449 525 524 3,913	0 340 302 638 250 0 0
*University of Cincinnati Northern Kentucky University	371 229 600	0 278 278
Cleveland, Ohio *Cleveland State University Case Western Reserve	630 666 1,296	520 <u>0</u> 520
Dallas, Texas SMU (Note: An unaccredited law school-Trinity School of Lawis in Dallas.)	590	0
Detroit, Michigan *Wayne State University University of Detroit Detroit College of Law Houston, Texas	720 470 405 1,595	355 273 440 1,068
*University of Houston South Texas College of Law *Texas Southern University	833 642 347 1,822	304 549 0 853
Kansas City, Missouri *University of Missouri - Kansas City	468	98
Los Angeles, California Loyola Marymount Southwestern University University of California at Los Angeles University of Southern California Whittier	850 925 1,016 530 187 3,508	450 783 0 0 223 1,456
Louisville, Kentucky *University of Louisville	372	179

Memphis, Tennessee Memphis State	395	139
Miami, Florida University of Miami	1,140	217
Milwaukee, Wisconsin *University of Wisconsin - Milwaukee Marquette	0 455 455	0
Minneapolis/St. Paul, Minnesota Hamline University *University of Minnesota William Mitchell College of Law	478 723 117 1,318	0 0 1,001 1,001
New Orleans, Louisiana Loyola University Tulane University	534 623 1,157	247 0 247
New York, New York Brooklyn Law School Columbia University Fordham University New York Law School New York University Yeshiva University	750 1,024 720 827 1,374 900 5,595	275 0 378 429 1,206 0 2,288
Newark, New Jersey *Rutgers University Seton Hall University	603 681 1,284	180 503 683
Philadelphia, Pennsylvania *Temple University University of Pennsylvania	800 666 1,466	400 0 400
Pittsburgh, Pennsylvania *University of Pittsburgh Duquesne University	667 320 987	0 364 364
San Diego, California California Western School of Law University of San Diego	687 677 1,364	0 296 296
San Francisco, California Golden State University University of California - Berkeley University of California - Hastings College of the Law University of San Francisco	524 918 1,536 570 3,548	287 0 0 190 477
St. Louis, Missouri St. Louis University Washington University	589 611 1,200	0 52 52
Washington, D. C. American University Antioch School of Law Catholic University Georgetown University George Washington University Howard University	603 450 493 1,521 1,000 470 4,537	255 0 256 436 400 0 1,347

^{*}Regarded as major "urban universities" as defined by the Committee of Urban Program Universities

SOURCE: BARRON'S GUIDE TO LAW SCHOOLS, 1980

AMERICAN BAR ASSOCIATION REVIEW OF LEGAL EDUCATION IN THE UNITED STATES, FALL, 1979

IV. Proposed Curriculum

There are several factors which determine the development of an academic program for Georgia State University Woodrow Wilson College of Law. Among these are the circumstances specific to the State of Georgia and the accreditation requirements of the American Bar Association (ABA).

The Supreme Court of Georgia has promulgated certain requirements for admission to sit for the Georgia Bar Examination. Compliance with the course of study requirements of the ABA will essentially meet circumstances specific to the State of Georgia. Additionally, Georgia places a greater emphasis on the study of the professional responsibilities and ethics of the legal profession than currently called for by the ABA.

Because ABA accreditation is critical to the ultimate success of Georgia State University Woodrow Wilson College of Law, ABA accreditation shall be pursued from the very beginning.

Standards 301-308 of the American Bar Association Standards and Rules of Procedure for Approval of Law Schools provide the general educational program standards for accreditation. Georgia State University Woodrow Wilson College of Law will comply with these standards in the formation of its academic program. Standards 301-303 (listed below) are of particular importance to the development of an academic program in legal education.

Standard 301

- (a) The law school shall maintain an educational program that is designed to qualify its graduates for admission to the bar.
- (b) A law school may offer an educational program designed to emphasize some aspects of the law or the legal profession and give less attention to others. If a school offers such a program, that program and its objectives shall be clearly stated in its publications, where appropriate.

(c) The educational program of the school shall be designed to prepare the students to deal with recognized problems of the present and anticipated problems of the future.

Standard 302

- (a) The law school shall offer:
 - (i) instruction in those subjects generally regarded as the core of the law school curriculum.
 - (ii) training in professional skills, such as counseling, the drafting of legal documents and materials, and trial and appellate advocacy.
 - (iii) and shall provide and require for all student candidates for a professional degree, instruction in the duties and responsibilities of the legal profession. Such required instruction need not be limited to any pedogogical method as long as the history, goals, structure and responsibilities of the legal profession and its members, including the ABA Code of Professional Responsibility, are all covered. Each law school is encouraged to involve members of the bench and bar in such instruction.
- (b) The law school may not offer to its students, for academic credit or as a condition to graduation, instruction that is designed as a bar examination review course.

Standard 303

- (a) The educational program of the law school shall provide adequate opportunity for:
 - (i) study in seminars or by directed research;
 - (ii) small classes for at least some portion of the total instructional program.
- (b) The law school may not allow credit for study by correspondence.

In developing the academic program for Georgia State University Woodrow Wilson College of Law, the specific course of study to be offered will be framed pursuant to the advice of the ABA educational consultant to be engaged prior to the implementation of the program.

A review of the courses of study in several selected ABA accredited law schools show the following to be typical course offerings:

Administrative Law Admiralty Appellate Advocacy Bankruptcy and Creditors' Rights Business Associations Civil Procedure Conflict of Laws Constitutional Law Constitutional Law Seminar Contracts Copyright Law Criminal Law Criminal Procedure Domestic Relations Estate Planning Seminar Ethics

Evidence
Federal Courts and the Federal System
Insurance Law
Labor Law
Law and Medicine
Legal Research and Writing
Patent Law
Property
Real Estate Seminar
Remedies
Taxation
Torts
Trial Practice
Uniform Commercial Code

If the law school at Georgia State University is approved, an ABA consultant will be hired to assist in the development of an academic program that can be fully approved by the ABA.

In developing the law school curriculum the faculty shall be guided by the Statement of Purpose for Georgia State University as approved by the Board of Regents in 1976 and as included in the proposed Charter for the law school which is Attachment VI to this Report. The proposed Charter points out that an accredited law school at Georgia State University "...shall signal to the approximately three million persons in the recognized metropolitan area that opportunities now exist for the mature student, the working student, and all persons in the greater urban area for the successful undertaking of legal education and training. An accredited College of Law at this University will open the doors for professional education to thousands of persons restricted otherwise by lack of funds, or who are unable to undertake programs of university study for traditional law degrees on campuses where such studies do not exist beyond the traditional daily instruction in the customary morning hours. Particularly the married student with family and job obligations shall be given an opportunity to study law."

V. Facilities

Standard 701 of the American Bar Association states:

Standard 701

The law school shall have a physical plant that is adequate both for its current program and for such growth in enrollment or program as should be anticipated in the immediate future.

Interpretation I of Standard 701 states: "Full approval will not be considered by the Council or its Accreditation Committee until a law school is conducting its operations in permanent and adequate facilities. The Accreditation Committee will not act on plans presented for building construction or if construction or remodeling is in progress"

Ideally, a new law school of the size being contemplated (approximately 320 students) would be housed in a new building with 60,000 gross square feet.

Such a building would cost \$5 million if built now. No such building is under consideration by the Board of Regents at the present time.

An acceptable, permanent location would be the three upper floors of the New Academic Building which has been approved by the Board of Regents, has been designed, and is ready for bids. The total building will require \$12 million in construction funds.

The best location currently available is in the ground floor of the Urban Life Building in an area of 32,000 gross square feet. This space would be divided between the law library and the other academic needs of the law school on a 55/45 ratio. The total cost of remodeling and loose equipment is estimated at \$850,000. Funds from the sale of the building currently owned by the Woodrow Wilson College of Law will offset approximately \$700,000 of this expense.

VI. Proposed Budget

1. Salaries

	FY '82	FY '83
Dean	\$70,000	
Law Librarian	35,000	
Assistant to Dean	17,000	
Secretary to Dean	15,000	
Faculty	•	\$40,000
Ass't Law Librarian		\$25,000

Salaries have been increased 10% each year.

2.	Faculty Offi Secretarial	ice Equipment Equipment	-	-	position position
3.	Recruitment	Expense	\$1,000	per	position

4. Non-Personnel Cost

	Travel	Supplies
Dean	\$1,000	\$1,000
Faculty Member	500	500

- 5. Library Books Estimated expenditures include \$50,000 for library books for the year of Planning and Implementation, FY '82. This estimate is based on a report prepared by Jane L. Hammond, Law Librarian and Professor of Law at Cornell University who was retained as a consultant for the purpose of comparing GSU's law library holdings with Library Schedule A and Library Schedule B of the ABA Accreditation Standards. Based on Dr. Hammond's report it will cost approximately \$50,000 to bring the combined holding of WWCL and GSU into compliance with the ABA standards. In addition it will cost approximately \$125,000 in FY '83 to maintain the accreditation standard and an additional \$25,000 in each subsequent year.
- 6. Summary of Estimated Expenditures and Income

	Expenditures (Attachment A)	Student Fees (Attachment B)	State Appropriation
Year of Planning and			<u> </u>
Implementation (FY'82)	\$ 298,900	** -	\$ 298,900
lst year of classes (FY'83)		\$360,360	846,930
2nd year of classes (FY'84)		450,060	858,130
3rd year of classes (FY'85)		403,260	1,047,639
4th year of classes (FY'86)	1,662,123	461,760	1,200,363

7. Summary of Personnel

_	Students	No. of Classes	No. of Faculty
lst year of classes	308	33	16
2nd year of classes	310	33	16
3rd year of classes	270	29	16
4th year of classes	320	34	17

Student: Faculty Ratio 19.1 Average Class Size - 28 Students

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FY '85-86 4th Year of Classes EFT Amount		.•			1,248,599	53,240 1,301,839 130,184 1,432,023	15,000	2,600 200,000 230,100 1,662,123
FY 4th Yea EFT					28.25	29.00		
FY '84-85 3rd Year of Classes <u>EFT</u> Anount					1,135,090	113,509	1,500 13,300 11,500	1,000 175,000 202,300 1,450,899
3rd Yes					28.25	28.25		•
FY '8384 2nd Year of Classes EFT Amount				935,900	1,031,900	103,190	12,100	1,000 150,000 173,100 1,308,190
•				26.25	28.25	28.25		
FY '82-83 Ist Year of Classes EFI Amount		196,900	2,000 640,000 56,000 25,000 16,000	935,900		93,590	11,000	25,600 7,200 125,000 177,800 ,207,290
ist Yea EFT		8.00	.25 12.00 4.00 1.00	26.25		26.25		
Planning and Implementation EFT Amount	70,000 17,000 15,000 35,000 21,000 8,000	179,000		•		17,900	16,000 4,000 5,000 5,000	50,500 50,000 102,000 298,900
Plar Imple	2.0000000000000000000000000000000000000	8.00				8.00		
Personnel Dean	tar ibr tar ry nt	Total	Additional Student Assistants Faculty Secretaries for Faculty Assistant Law Librarian Library Tech Assistant	Summer School . Total	Faculty	Fringe Benefits Total Personnel Operating Supplies and Expenses	Supplies and telephone Consultant Travel Equipment Dean's Groups	Faculty Secretary Library Books Total Non Personal Services TOTAL

Estimated Income from Student Fees

Year of Classes	EFT Students	Credit Hours	Academic Year	Income Summer School	<u>Total</u>
1st - FY 83	308	13,860	\$360,360		\$360,360
2nd - FY 84	310	13,950	362,700	87,360	450,060
3rd - FY 85	270	12,150	315,900	87,360	403,260
4th - FY 86	320	14,400	374,400	87,360	461,760

Assumptions

(a) EFT Students are based on the following:

Year	WWCL Students	GSU Students	<u>Total</u>
lst	183	125	308
2nd	100	210	310
3rd		270	270
4th		320	320

Georgia State University will admit 125 students each year, however, it is anticipated that some of the students will drop out.

- (b) Equivalent credit hour load of 15 hours for each of the three quarters of the academic year.
- (c) Summer School income is based on 24 sections being offered each summer with an average class size of 28 students.
- (d) Income is based on: (1) all students being resident students and
 - (2) fees being \$26.00 per credit hour; the same as charged by the University of Georgia.

VII. Conclusions and Recommendations

The issue of a law school at Georgia State University has been before the Board of Regents since 1974 when the establishment of such a school was approved but not funded. Now, in 1981, the Board has received an offer of the assets of the Woodrow Wilson College of Law with a net value of approximately \$1,140,000. This offer is contingent upon having a law school at Georgia State University which can meet the accreditation standards of the American Bar Association within a reasonable period. The Board of Regents must make a decision either to accept the gift under the terms of the Agreement (Attachment IV) or to reject it. There is no reason to reject the gift if the decision to establish the law school is reached; therefore, the basic decision required is whether or not a law school should be established at Georgia State University.

The recommendation of the Special Committee on the Law School is that Georgia State University be authorized and directed to begin the planning of a program of legal education leading to the J.D. degree and that a new administrative unit be created which shall be named the Georgia State University Woodrow Wilson College of Law within which that degree program shall be administered. The Committee further recommends that the donation of the assets of the Woodrow Wilson College of Law be accepted under the terms of the Agreement shown here as Attachment IV, and that the Board of Regents express its gratitude to the Trustees of the Woodrow Wilson College of Law for the generous gift.

The Special Committee is fully aware that it is recommending a program which will require additional funding for Georgia State University. Part of this funding will come from the gift referred to above; part will come from student tuition and fees; some may come from endowments and special gifts which are being earnestly sought by Georgia State University. The remainder will come from the state appropriation to the Board of Regents. This extra state

allocation to Georgia State University will be approximately \$850,000 for fiscal year 1983 and will level out at \$1.3 to \$1.5 million in 1986, at which time the total operating budget will range between \$2 million and \$2.5 million per year.

It is the belief of the Special Committee that in approving the creation of the Georgia State Woodrow Wilson College of Law, the Board of Regents will be providing an opportunity for a legal education to many Georgians who could not otherwise pursue this educational or career goal. The City of Atlanta and its metropolitan area, in which one-third of all Georgians reside will benefit greatly. The opportunities which a public, ABA-approved law school in Atlanta will open up for the city in its role as Capital of Georgia and the commercial center and transportational hub of the Southeastern United States are of inestimable value. Finally, the action will give Georgia State University a program which is almost demanded by its role as an urban university, and will enable it to become even more illustrious than it presently is in the company of other such universities in this country.

The Special Committee urges the Board to approve this Report and its recommendations.

REPORT OF SPECIAL STUDY COMMITTEE FOR LAW SCHOOL AT GEORGIA STATE UNIVERSITY

July 8, 1974

This Special Study Committee was appointed by Chairman Charles A. Harris on May 9, 1974. It was charged with responsibility of investigating the feasibility of the establishment of a School of Law at Georgia State University. The following Regents were named as members of the Committee: Regents Lee Burge, Chairman, John Bell, Milton Jones, Lamar Plunkett and Bobby Smith.

Pursuant to notice and call previously given, the Committee met at 2:00 p.m. this date in the Board Room at the office of the Board of Regents. Present were Regents Burge, Bell, Plunkett and Smith. The Executive Secretary acted as recording secretary for the Committee.

Thereupon, Regent Burge called the meeting to order and stated that the purpose of the meeting was to give further consideration and study to the advisibility of establishing the law school at Georgia State University. The Chairman stated that Chancellor Simpson, in a memorandum to the Members of the Board of Regents dated May 3, 1974, had recommended that the Board authorize the establishment of a law school at Georgia State. A copy of the Chancellor's memorandum to the Members of the Board is attached and made a part of the Minutes of this meeting. For the sake of brevity, the reasons upon which the Chancellor's recommendation was based will not be set forth herein. The Chairman called upon Chancellor Simpson to make such additional remarks concerning the matter as he deemed appropriate.

Referring to his memorandum of May 3rd, Chancellor Simpson again reiterated the need for a law school at Georgia State and again gave the same his strong recommendation. Then followed a lengthy discussion between the Chancellor and the Members of the Board present concerning his recommendations and reasons as set forth in his memorandum dated May 3, 1974. In addition a number of related matters were discussed, namely:

- The initial enrollment that might be anticipated.
- The unmet needs for law school education, if any, now available from public and private educational institutions.

- 3) The anticipated cost of phasing in the operation of a law school at Georgia State, together with the estimated operating cost for five years in the future.
- 4) Capital outlay requirements for new buildings.
- 5) The possible adverse effect on existing accredited law schools in Georgia such as Emory and Mercer.
- 6) Minimum enrollment necessary to operate effectively as an accredited school of law.
- 7) The pool of possible applicants. That is to say, how many qualified residents of Georgia were refused admission to law schools within the State because of overcrowded conditions.
- 8) The possibility of expansion of enrollments of existing law schools to meet student applications and demands.
- 9) The effect that the establishment of a law school at Georgia State might have on the training of black lawyers. The present enrollment of blacks at this institution is approximately 2,000 students.

The Committee also discussed in detail a resolution adopted by the Board of Visitors of the University of Georgia School of Law on June 28, 1974, which opposed the creation or establishment of a State supported law school at Georgia State University at this time. A copy of this resolution is attached to and made a part of the Minutes of this meeting. Succinctly, the resolution pointed out that if another law school was established in Georgia there would be an unhealthy competition for the educational dollar; that neither the present State supported School of Law at the University of Georgia nor the proposed new law school would be able to obtain the necessary funds to attract and maintain a top quality law faculty, an adequate library or a sufficient number of qualified students. The resolution further pointed out that a new law school would have a detrimental effect on Emory University School of Law and the Walter F. George School of Law at Mercer University and that it was doubtful that the State could support four accredited law schools. The resolution recommended that if it was determined that additional opportunity for legal education was needed in Georgia that this opportunity might be provided by expanding the existing facilities at the law school in Athens and by providing appropriate financial assistance until the law school at Emory as well as by participating in the extension of Mercer University's Law School at its

At the request of Regent Plunkett, the Executive Secretary contacted Dean Hendricks at the Atlanta Campus of Mercer University and reported that Mercer had no plans for the establishment of a law school in Atlanta within the immediate future. The Secretary also reported on a conversation with Dean Edgar Wilson of the Mercer University Law School. Dean Wilson reported that the present freshman enrollment at his school was 87 students and that this was the maximum number that Mercer could take each year until the facilities at the law school are expanded.

Whereupon, after further discussion, it was moved, seconded and unanimously adopted that the Committee go on record as favoring the establishment of a law school at Georgia State University. The Chairman was requested to present this report to the full Board at its next regular meeting to be held on July 10, 1974.

There being no further business to come before the meeting at this time, the same was adjourned.

This 8th day of July, 1974.

W. Lee Burge, Chairman

John Bell

Executive Secretary

Lamar Plunkett

Attachs: (2)

11/

MINORITY REPORT OF SPECIAL STUDY COMMITTEE FOR LAW SCHOOL AT GEORGIA STATE UNIVERSITY

The following is respectfully and regretfully submitted as a Minority Report of the above named Committee. The conclusions contained therein were reached on September 10, 1974, the day before the September meeting of the Board of Regents, after due consideration by the writer of all the information I had been able to garner through that date. The presentations and discussions at the September Board meeting by the State Bar of Georgia, and the various distinguished members of the House and Senate, as well as the information obtained since then, and in particular the two meetings of the Committee held on Monday, September 16, 1974, to discuss the problem with Emory University School of Law, and to receive their response on Monday, November 4, 1974, have only served to confirm these conclusions that a new law school should not be implemented in the University System at this time.

First, let it be stated that this conclusion in no way reflects any reservation on my part regarding Georgia State University. This fine university has long performed a valuable and distinguished service to the citizens of this state, and in particular those in the metropolitan Atlanta area. This university has a great amount of experience in educating students who also, either out of choice or necessity, work, and the lack of an opportunity for these working students to attend an accredited law school does concern this writer as much as it does any member of the Board. If other considerations justified the implementation of another law school within the System, Georgia State University would certainly, at least in my opinion, be the proper unit to administer it. However, for the below set forth reasons, there is no necessity or justification for the creation of a new law school within the University System of Georgia at this time.

APPLICATIONS FOR ADMISSION FOR LAW SCHOOL

Much emphasis has been placed on the large number of applications for admission to law school as opposed to the small number of entering freshman spaces. The Chancellor's memo to the Board dated May 3, 1974, emphasizes that there were 5,291 applications received by Georgia, Emory and Mercer in 1973, and only 575 admitted. Certainly, at first glance, this appears shocking, but only at first glance.

These figures exaggerate the problem for several reasons. First, of course, many students who want to go to law school quite wisely apply for admission to several law schools in hopes that if they are turned down by their first choice, they will have a chance of admission at some other institution. While this writer is of the personal opinion that this duplication and triplication of applications would cut the 5,291 applicants to approximately 1/3 to 1/4 of that number, the only definitive information we have received on the subject is that contained at Page 5 of the report presented by the State Bar of Georgia:

"No information was available as to the precise number of Georgians who took the LSAT in any particular calendar year or testing year (July through April), but the material in Table 2 and Table 3 supports an estimate that between 1,200 and 1,400 Georgians took the LSAT in the most recent year (whether calendar year or testing year).

Peter A. Winograd, director of law programs of the Educational Testing Service, states in a recent article that 15% of the administrations of the LSAT, at least in the 1972 testing year, represent repeaters."

Using the middle figure of 1,300 Georgians taking the LSAT each year, 15% repeaters would mean that only approximately 1,100 Georgians take the LSAT for the first time each year. Some of these students do not even apply to law school after having taken the LSAT.

(A. Winograd, Law School Admissions: A Different View, A.B.A.J., 1973). Whenever you then see that out of the 1,100 new students serious enough to take the LSAT each year in Georgia, there are freshman seats for 575, the figures are not quite so shocking. Further, in view of

Mercer University's hopes to increase the size of its entering class to 150 in the fall of 1975, as opposed to the present 88 (Dean Edgar Wilson's letter to Henry G. Neal dated August 7, 1974), you see that an additional 62 freshman seats will quite possibly be available within the state in ten months. This would mean that of the approximate 1,100 new LSAT "takers" every year, only 460 have no chance at a freshman seat within the state, rather than the 4,716 who would "appear" to have no chance according to the figures furnished. At least some of this 460 would have to be viewed as being not qualified for admission, and Dean Ralph Beaird of the University of Georgia Law School has estimated that only 125-200 Georgia residents who could successfully complete the law school program are presently being denied admission at the University of Georgia. He goes further to state that of these 125-200 candidates who have the ability to finish law school but can't get into Georgia, a number of them are being accepted elsewhere. (Dean Beaird's letter to Regent Maddox dated July 19, 1974, Page 3.)

Further, and of significance, is that applications for law school within the state of Georgia have leveled off with the last three years, and even slightly declined (Table 1, Page 2, State Bar of Georgia Report). They were 5,354 in 1972, 5,290 in 1973 and an estimated 5,256 in 1974. This is of particular significance in view of two further well recognized considerations:

- (1) The termination of the Viet Nam conflict and the draft, which tended to keep some students in the educational process as long as possible; and
- (2) The leveling off of enrollments in undergraduate schools, which, of course, are the feeders for all applicants to graduate programs.

For all these reasons, it is respectfully submitted that the number of applications vs. the number of available seats in Georgia is not nearly so troublesome as might appear at first glance, and that if anything, the picture will not grow darker but quite probably brighter in the rather near future, particularly in view of Mercer's plans to

double the enrollment of its law school within the next two years, and possibly sooner (Dean Wilson's letter dated August 7, 1974).

EMPLOYMENT OPPORTUNITIES FOR LAW GRADUATES

This is one aspect of the problem concerning which I can draw on personal knowledge. As a partner in a small to medium size firm (7 lawyers), I see nearly daily the letters we get from young lawyers. It is no exaggeration to say that we get an average of three to four inquiries a week from someone who has spent seven years of his or her life in college and law school, and who are now having an extremely difficult time in finding an opportunity to practice this profession for which they have been trained at a considerable investment of their time and energy and their, their parents' and society's expense.

Is it less fair for us to deny someone admission to law school, or to take their years and money (and the taxpayers') and then turn them into a profession that has no place for them? This is a question that addresses itself to the individual conscience of each member of the Board.

Let us look at the facts. The United States Department of Labor recently increased its estimate of average annual openings for lawyers from 14,000 to 16,500 (U. S. Department of Labor, Occupational Outlook Quarterly, Summer, 1974, Volume 18, No. 2, Page 9; State Bar of Georgia Report, pages 14 and 15). In 1973, according to figures released by the National Conference of Bar Examiners, 30,879 were admitted to the practice of law—an oversupply of 14,379 over the legal jobs available.

In Georgia, 97 people were admitted to practice law in 1964.

In 1974, 1,084 people were admitted, an increase of over 1100% in ten years (Table 6, State Bar of Georgia Report, Page 16). This is significant progress in the field of educating lawyers and I am seeing the fruits of this progress nearly every morning when I open

my mail. (Also see Dean Ralph Beaird's letter to Honorable Clayton Brown, dated November 12, 1972, Page 5, and his letter to Regent Maddox dated July 19, 1974, at Page 3, wherein he alluded to the increasing difficulties in placing law graduates.)

Other factors making this oversupply more serious are the advent of no-fault automobile reparations system on January 1, 1975, in Georgia; the growing nationwide movement toward no-fault divorce; and the significant impact of the economic situation on the real estate practice. Many firms in the nation, Georgia and Atlanta, not only are not hiring lawyers but are actually laying some off, particularly in real estate sections.

I realize that many will say that law is a good degree and background for non-legal jobs, particularly in business. I could not agree more, for I personally am prejudiced enough in favor of my life's work to think that it is the best academic discipline for nearly any field of endeavor. Be that as it may, can it seriously be argued that the production of more lawyers can be justified on this basis when we have other crying priority needs within this state and within this University System that would be a much wiser use of the taxpayer's dollar? Using taxpayer dollars to educate lawyers to hold jobs in business that could as adequately, and possibly better, be held by B.B.A.s and M.B.A.s makes about as much sense as using taxpayer dollars to send lab technicians all the way through medical school and granting them M.D.s, and then having them return to their jobs in the laboratory. They would be better lab technicians, but it would hardly be a wise use of the money.

These ideas are largely gathered from the very excellent report, Manpower and Education Needs in Selected Professional Fields - Legal Professions, prepared for the Southern Regional Education Board by A. Kenneth Pye, a good portion of the cost of which was paid by Georgia tax dollars, for we are a member of this organization. A direct quote from this report might well be in order:

"CONCLUSIONS

The law schools of the region are educating more law students than at any time in history. Admissions to the bar have increased dramatically and will continue to do so for at least two more years when they may stabilize at double the pre-1966 levels. The size of the bar is increasing at a much more rapid rate than the size of the population. The existing law schools have reached their capacity. Most lack the resources which they should have to do the tasks for which they are now responsible. There is no reason to believe that changes in the legal profession will drastically change either the need for lawyers or the techniques available to finance their services in the foreseeable future.

These cirumstances suggest that it would be unwise to expand existing law schools or begin new institutions."

As far as priorities are concerned, I think many of our citizens are far more concerned about the need for additional doctors in the state than are concerned about the need for additional lawyers. According to the figures furnished me by the Medical Association of Georgia, there are approximately 5,500 M.D.s in Georgia as opposed to £,125 lawyers. This figures out to one doctor for every 845 Georgians and one lawyer for every 748 Georgians. While some lawyers are specialized and not "general practitioners," it is readily recognizable that specialization is more prevalent in the medical profession, and accordingly in the "G.P." category, there is much more critical need for primary treatment delivering physicians in the state of Georgia than for more lawyers. While I know medical schools cost more money than law schools, if the proposal were to start a medical school at Georgia State rather than a law school, I would be one if its staunchest supporters.

Let me say here that this is not based on any fear on my part of increased competition, for it has been my experience that the more lawyers there are around, the better the older and more experienced lawyers do. It is generally the newly graduated lawyers and the general public who suffer.

"It may be that society needs a medical doctor or a dentist on every corner, because poor care may be better than no care at all. But, as we should know by this time, a license to practice law is a power to steal in the hands of one so inclined, and poor legal services cause a festering in the innards of a society committed to justice; this may have consequences more grave for society than poor medical services or poor dental services." (Statement of Ben F. Johnson, former Dean of School of Law of Emory University, dated June 28, 1972.)

COST AND BUDGET

This is a difficult area to discuss due to the scarcity of "hard" information. So far, I have yet to be told how many students will be enrolled and how many dollars it is going to take. I have heard and seen various estimates differing greatly, with student/faculty ratios ranging from 16-1/2 to 1 all the way to 26 to 1, and student body sizes of from 125 students to 620 students. On July 16, 1974, we were sent an "A" budget representing a 1972 proposal by Dr. Langdale with a 20% inflationary "add on." At the same time, we were furnished a "B" budget with some differences. The "A" budget says the first operational years total cost will be \$851,300.00, increasing to over \$1 million the second year. The "B" budget, drawn this year, shows a first year cost of \$724,000.00, with a second year cost of \$910,700.00. A third set of figures shows \$869,640 for the first operational year and \$1,092,840.00 for the second year.

These figures are inconclusive at best, though I realize financial projections are always difficult, particularly when you don't know how many students you are going to have. It is safe to say, however, that this operation will cost a minimum average of over \$1 million per year with a startup book acquisition cost of between

\$1,000,000.00 and \$1,200,000.00, according to the information furnished us so far by staff. Most sources contacted by this writer say these figures are considerably low.

There is no question, further, but that sometime within the next five years a separate building will be needed, at a construction cost of between \$3,500,000.00 and \$5,000,000.00 on today's costs.

The present plan of having the library in one building, offices and classrooms in two other buildings and a moot court room in still a fourth building, is a temporary stop gap measure at best.

IMPACT ON UNIVERSITY OF GEORGIA LAW SCHOOL AND OTHERS

It has been stated that the creation of a new law school at Georgia State will have no impact on the one at Athens. The student-faculty ratio at Athens up until this fall has been 30 to 1 for the last two years. This was reduced to 22 to 1 this fall, according to Dean Beaird's letter to the Chancellor dated August 9, 1974. The desirable level is 15 to 1. (Dean Beaird's report to House University System Committee dated November 12, 1972)

The University of Georgia Law School needs a new building--now. This Board authorized planning for such a building at its meeting on June 12, 1974.

The best statement of the matter, however, is probably contained in the quote in Dean Beaird's report to the House University Committee at pages 9 and 10:

"Now these and other improvements, which can follow if the law schools can grow "vertically," may be arrested if the base is expanded "horizontally" through the creation of new law schools. This is particularly a threat in the public sector of the law school world which relies mainly upon state government support of schools. Educational tax dollars are limited everywhere. Having been sold on the idea that a state needs another public law school involving massive capital outlay and a substantial operating budget, it will be difficult to convince a legislature (or even a university

central administration) that the established school should have its program enriched. Stagnation in legal education may follow. The resulting educational effort might be no better than what a good para-professional program ought to be in the 1970's and 1980's." (Dean Boden, Legal Education at the Crossroads.)

While it is true that, as the Chancellor said in his memo of May 3, 1974, "under our scheme of things" an additional law school will not in itself affect the funding of the law school at the University of Georgia, it is unrealistic to assume that its needs will be fulfilled if we have two law schools, one starting from scratch, as they would be if it were the only one. The old expression, "two can live as cheaply as one—if one doesn't eat," comes to mind as describing this situation. This concern is quite obviously shared by the Board of Visitors of the University of Georgia Law School, witness their resolution of June 28, 1974, in opposition to the creation of the new law school.

As to the impact on other institutions, the evidence varies. I personally feel that the Board should never take an expansion action without due consideration as to the impact it will have on private institutions. Emory University Law School Dean Patterson states in his report of November 4 that he sees no adverse effect on Emory's enroll- . ment. I have heard no collective expression from Mercer, but the individuals who have contacted me from Mercer view this proposed new law school with grave foreboding, particularly in view of their plans to double their enrollment in the next two years. I have heard nothing regarding impact on future plans at the Atlanta University complex. . Every private college that goes out of business due to any reason puts another student on the street that we might have to accommodate at a cost much higher to the taxpayer than the \$400.00 tuition supplement presently paid. The Board should carefully weigh the impact of all expansions, not just this new law school, in such a manner, and I am not sure this has been done in this instance, and certainly not until at a belated date.

Also of concern to me is the impact, or possible impact, of the creation of a law school on the other divisions and departments at Georgia State. It has been stated in the Comparison of Cost to Formula Memo dated June 10, 1974, and furnished to the Board on July 16, 1974, that Georgia State will have to spend \$597,500.00 in the start-up year, and \$715,200.00 in the first year of operation. (I realize this is the fifth set of budget estimates we have seen, but no matter, the point remains the same.) Of this \$1,312,700.00 the law school will cost G.S.U. in its first two years, they will only receive, under the formula, \$538,750.00. Where is the other \$773,950.00 coming from? From the other departments and programs at Georgia State, of course. I do not know what impact, if any, this will have on the overall program at Georgia State, for I have seen no information on this.

TIMING

It has been submitted that this decision should be made now for two reasons: (1) It has been pending for over two years; and (2) so we can start a freshman law school class in fall, 1975. Let us look at these.

First, I would rather see it pend for 10 years and the right decision be made than make a decision now that may or may not be correct. As long as no law school has been started, we can always decide to start one. Once the law school has been started, we cannot decide to un-start it. I kept an open mind on this proposal from its first mention to me in May of 1974 until September 10. When I read all of the data I could get my hands on at that time, I was forced to conclude that the preponderance of evidence argues persuasively against creation of a new law school at this time. There are, however, still arguments in favor of the law school that do weigh heavily with me, and perhaps additional information will cause them to ultimately prevail. For the present, I am still not satisfied that we have been furnished sufficient data to make a truly informed decision on this vital question.

As a matter of individual personality, I am one who inclines to the view of "when in doubt, be cautious," and this particularly is true when it comes to our stewardship in the expenditure of public tax dollars. I think this outlook is particularly correct at this time in view of the legislative hostility to this program and the current economic conditions.

Second, there is no realistic way any freshman class can be enrolled ten months from now. To our knowledge, no Dean has been interviewed, much less hired. The search for the right person should take at least six months. The same is true for librarians, faculty and other personnel, who can be hired responsibly only after the top position is filled. Moreover, the correspondence and concurrence with the several accreditation and concerned agencies take painstaking effort and considerable time after the administrative structure and personnel are selected. While I am sure some type of operation can be thrown together by next September, I share the view that it would take a minimum of 18 to 24 months rather than the 10 we have. This puts us into 1976 or 1977, and in view of this, another few months of staff study and information elicitation would not seem to have any undue adverse effect in light of the tremendous expenditures a decision of this magnitude would require.

RESERVATIONS

As stated above, some arguments in favor of the law school at Georgia State do cause me great concern. I took many of my law classes at Emory in the Evening Division for I, too, had to work. While I realize that most who start law school at night never finish, those who do are pretty determined and worthy adversaries, and those who don't have achieved at least some benefit. If I were going to law school today rather than in the late 50's, I realize that a night law school at Georgia State would be the only viable alternative I would have, and by the position I have taken I would be depriving the law student of today who is in the circumstances in which I found myself in the late 50's of an opportunity to become a lawyer. This disturbs me, and disturbs me greatly, but the other factors above enumerated far outweigh this personal consideration.

I apologize for the length of this report, but in my opinion this is the most important decision the Board has been called upon to render during my tenure. In the final analysis, to me, it boils down to a question of priority uses of tax dollars for the educational benefit of all of the citizens of Georgia.

Respectfully submitted,

Milton Jones

Regent, State at Large

NOVEMBER 8, 1974.

THE BOARD OF VISITORS OF THE UNIVERSITY OF GEORGIA SCHOOL OF LAW

Justice Harold G. Clarke, Chairman Robert H. Smalley, Jr., Secretary

May 8, 1981

Chancellor Vernon D. Crawford University System of Georgia 244 Washington Street, S.W. Atlanta, Georgia 30334

Dear Chancellor Crawford:

I have attached a copy of a resolution adopted by The Board of Visitors of the School of Law of the University of Georgia opposing the establishment of another statesupported law school at Georgia State University. As Secretary, I have been directed to forward this resolution to you and to each member of the Board of Regents.

Sincerely,

Robert H. Smalley, Jr. My Secretary, Board of Visitors

School of Law, University of Georgia

RHS:ept

Encl.

A RESOLUTION

WHEREAS the Board of Visitors of the University of Georgia School of Law was established by resolution adopted on November 10, 1964, by the Board of Regents of the University System of Georgia to serve as a consultative and advisory body on Law School affairs to the Regents, to the President of the University of Georgia, and to the Dean and faculty of the University of Georgia School of Law, and to make recommendations from time to time concerning the needs and requirements to be met and policies to be followed in developing the Law School into a nationally recognized institution of outstanding quality, and

WHEREAS the Board of Visitors is composed of nine members - three of whom are appointed by the Chairman of the Board of Regents of the University System of Georgia, three of whom are appointed by the President of the University of Georgia and three of whom are appointed by the Law School Association of the School of Law of the University of Georgia, and

WHEREAS the Board of Visitors has given serious consideration to the proposal to establish a new state supported School of Law at Georgia State University in Atlanta, Georgia, including a report recently submitted to the Chancellor by the President of the University of Georgia, and strongly believe that the establishment of another state supported school of law is inappropriate and not in the best interest of the citizens of the State, and

WHEREAS the Board of Visitors believes that the establishment of another state supported law school would create an unhealthy competition for the educational dollar and that neither the present state supported School of Law

in Athens nor the proposed school at Georgia State would be able to obtain the necessary funds to attract and maintain a top quality law faculty or maintain an adequate library or to enroll and maintain qualified students by providing appropriate financial assistance, with the result being the creation of two inferior schools of-law rather than the continued improvement of a nationally superior School of Law at the University of Georgia, and

 $\xi \in \mathcal{K}$

WHEREAS the Board of Visitors further believes that the creation of a new law school at Georgia State University would have a deleterious effect on the other two American Bar Association accredited law schools in the State in that the State cannot support four accredited law schools, and

WHEREAS the Board of Visitors further believes that available statistics indicate a diminishing demand for legal education in the State and nation with a growing insufficiency in the number of legal positions available to law graduates so that the creation of a new law school would constitute a substantial sacrifice of time and resources on the part of many young Georgians to obtain a law degree only to find an inability to obtain legal employment;

NOW THEREFORE BE IT RESOLVED by the Board of Visitors of the University of Georgia School of Law that after thoughtful and careful consideration and for the above stated reasons, it does hereby oppose the creation or establishment of a Statesupported school of law at Georgia State University at this time.

BE IT FURTHER RESCLVED that the Secretary of the Board of Visitors of the University of Georgia School of Law is hereby authorized and directed to furnish a true and correct

copy of this Resolution immediately to the Honorable Vernon D. Crawford, Chancellor of the University System of Georgia, and to all members of the Board of Regents of the University System of Georgia.

SO RESOLVED this the ______ day of May, 1981.

BOARD OF VISITORS UNIVERSITY OF GEORGIA SCHOOL OF LAW

Robert H. Smalley, Jr.

Secretary

Earl T. Leonard, Jr. Atlanta, Georgia

Charles H. Kirbo Atlanta, Georgia

E. Roy Lambert Madison, Georgia

Harold G. Clarke Atlanta, Georgia

James B. Blackburn Savannah, Georgia

David H. Tisinger Carrollton, Georgia

Joseph E. Cheeley, Jr. Buford, Georgia

Alex P. Gaines Atlanta, Georgia

AGREEMENT

GEORGIA, FULTON COUNTY

This Agreement, made and entered into this the ______ day of _____, 1981, by and between John Kanes, Joe LaBoon, Virlyn B. Moore, Jr., and Wayne Pressley, acting in their capacity as Trustees of the Woodrow Wilson College of Law, and the Woodrow Wilson College of Law, a non-profit corporation of Fulton County, Georgia, parties of the first part, hereafter referred to as Wilson and Board of Regents of the University System of Georgia, a department of the State Government of Georgia and Georgia State University, a university operating under the authority of the Board of Regents, parties of the second part, hereafter referred to as Georgia State-Regents witnesseth,

WHEREAS, Wilson is a law school chartered in 1933 by the Fulton County Superior Court and has been operating as a law school continuously since that date and,

WHEREAS, Wilson is now fully accredited by the Georgia Supreme Court and, WHEREAS, Wilson owns a law school building at 830 W. Peachtree Street and at 15-19 Fifth Street and owns a library and equipment necessary to operate a law school and,

WHEREAS, Wilson now has enrolled three classes taking the law course provided and,

WHEREAS, Wilson is providing, through its curriculum, an opportunity for citizens of this state to study law on a part-time basis inasmuch as its course is designed for working citizens who wish to study law and,

WHEREAS, Georgia State University is a fully accredited university which specializes in providing education for working citizens in our state as well as for traditional students and.

WHEREAS, Georgia State University was given authority on November 13, 1974, by action of the Board of Regents for the University System of Georgia to operate a law school but has not received the required funding to this date and,

WHEREAS, Wilson has established its viability through applying for and meeting many of the requirements of accreditation by the American Bar Association, as evidenced in the attached letter labeled as Exhibit A, and,

WHEREAS, Wilson is willing to transfer all of its assets, both real and personal, and its goodwill and on-going educational program to Georgia State University as a donation and, in consideration of assurances and obligations assumed by Georgia State-Regents now,

THEREFORE, in order to effect and set forth the agreements and obligations of both parties, it is agreed as follows:

- I. Effective October 2, 1982, Wilson will give, donate, and transfer to Georgia State-Regents, and will execute appropriate deeds and instruments to effect same, for the sole and express purpose of creating a law school at Georgia State University, all of its real property and personal property of every kind and effect such property being set forth hereinafter as follows:
- A. The building located at 830 West Peachtree Street, being a three-story brick building adapted to its law school and a small building known as 15-19 Fifth Street, both buildings being located in Fulton County, City of Atlanta, State of Georgia. A complete description of such real estate, together with an up-to-date appraisal of the same is attached hereto as Exhibit B and made a part hereof. The value of said properties is established as \$715,000.
- B. The library which includes some 25,000 volumes and includes volumes required by both the State of Georgia and The American Bar Association requirements for accreditation together with the furniture, fixtures, shelving and other equipment pertaining to the library as it is now standing and inventory of the library is attached hereto marked Exhibit C. The appraised value of the library is \$440,269.39 as indicated in Exhibit D.
- C. All office equipment, furniture, rugs, drapes, supplies, clerical or otherwise, fixtures, lighting, heating/cooling devices, complete and intact, shelving and all presently utilized movables, pictures, draperies, curtains, screens, blinds, etc. owned by Wilson and used in the operation of the school. The value of these items is estimated by Wilson to be \$108,000.
- D. All other assets, such as cash, securities, and specifically the surplus operating fund which includes stocks and bonds, a copy of such investments being attached hereto as Exhibit E. Also cash reserves and postponed or future benefits to be accrued indefinitely, all testimentary dispositions and sums due from deferred sources. The total value of these assets is, as of the date of this instrument, approximately \$101,300. It may be necessary to use a portion of these assets to reduce the real property indebtedness referred to in II A, below, prior to the effective date of the aforesaid transfer. Likewise, income from these funds shall be used by Wilson for operational purposes prior to the effective date of the transfer of property.
- E. The name Woodrow Wilson College of Law, togehter with the goodwill attached thereto.
 - F. All Alumni files.

- G. Student records of every kind, both past and present.
- H. All records pertaining to evaluations of accreditation, past and present.
- I. All reports, evaluations, and other matters pertaining to the application made by Wilson heretofore for ABA accreditation.
 - J. All insurance policies belonging to Wilson.

It being the intention of this article to transfer all of the assets, real and personal, goodwill and the going operation to Georgia State-Regents.

- II. Georgia State-Regents on their part, in consideration for the transfer as described above, agrees to assume the following responsibilities. Thus, Georgia State-Regents, therefore, agrees as follows:
- A. Concurrently with transfer of title to the building and real estate as described in paragraph I A, <u>supra</u>, the Georgia State-Regents will pay off the balance due on the mortgage remaining on the transfer date. Balance on this mortgage as of March, 1981 was \$116,747.24.

Georgia State-Regents will likewise be entitled to all of the leases in effect on certain portions of the real estate and will assume obligations under such leases, as evidenced herewith by attached Exhibit F.

- B. Upon transfer of the assets, goodwill, etc. of Wilson as described above to Georgia State-Regents, the name Woodrow Wilson College of Law will be preserved and the law school of Georgia State University will be known as the Georgia State University Woodrow Wilson College of Law.
- C. That all Wilson faculty and staff will be given equal opportunity to apply to Georgia State-Regents for consideration for employment at the Georgia State University Woodrow Wilson College of Law with all perquisites generally available to all eligible employees of Georgia State-Regents. Georgia State-Regents does not assume any prior service obligations, fringe benefits, perquisites or conditions of future contract, not by right available to Georgia State-Regents personnel now presently employed before the effective dare of the donation.
- D. Georgia State-Regents will review the qualifications of Wilson students currently enrolled who elect to transfer to the Georgia State University Woodrow Wilson College of Law. For those who meet Georgia State University Woodrow Wilson College of Law admissions qualifications, Georgia State-Regents will assume responsibility to provide a law school education sufficient to meet educational qualifications to sit for the Georgia Bar Examination, provided that said students make satisfactory progress toward the completion of said program pursuant to the academic regulations of Georgia State University Woodrow Wilson College of Law.

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- E. Georgia State-Regents agree that in order to preserve the memory and contributions made by Dean Joseph B. Kilbride, Governor Clifford Walker and Miss Ruth Sills, that the library of the law school will be known as the Joseph B. Kilbride Library, and that one classroom will be designated as the Walker Classroom, and another as the Sills Classroom, and that the portraits currently owned by Wilson of each of these three former founders and trustees of Woodrow Wilson College of Law will be displayed in the classrooms.
- F. Georgia State-Regents agree that whenever in the operation of the law school, adjunct professors are used, that the adjunct professors who are now teaching at Wilson and those who have long records of teaching in the past, will be given consideration. A list of the adjuncts referred to in this article and the subject which is taught by them is attached as Exhibit F.
- G. Georgia State-Regents agree that the liquid assets, including Wilson endowment assets, which are a part of this donation will be used in general support of the Georgia State University Woodrow Wilson College of Law. It is further agreed that should the buildings and real property which are a part of this donation be sold, then proceeds of such sale shall also be used for the support of the law school at Georgia State University.
- III. Georgia State-Regents will accept and does accept the donation with the expressed intention to facilitate the operation of accredited law school training of eligible students, and the Georgia State-Regents accept the donation with the purpose to continue the same.

IN WITNESS WHEREOF, the parties have affixed their signatures and scals upon the day and year first above written.

PARTIES OF THE FIRST PART:

		(SEAL)
John P. Kanes		
		(SEAL)
Joe T. LaBoon	: -	
		(CEA1)
Virlyn B. Moore, Jr.		(SEAL)
		(5544.)
R Mayne Present		(SEAL)

• •	
By: President	(SEAL)
Attest: Secretary	(SEAL)
PARTIES OF THE SECOND PART:	
BOARD OF REGENTS UNIVERSITY SYSTEM OF GEORGIA	
By: Chairman	(SEAL)
Attest: Secretary	(SEAL)
GEORGIA STATE UNIVERSITY	
By: President	(SEAL)

As Trustees of Woodrow Wilson

WOODROW WILSON COLLEGE OF LAW

College of Law

LEGAL EDUCATION IN THE SOUTHERN REGION*

Eva C. Galambos

*An update of the chapter in Eva C. Galambos, Law, Medicine, and Veterinary Medicine: Atlanta, Southern Regional Education Board, 1978.

BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA 244 WASHINGTON STREET, S. W. ATLANTA, GEORGIA 30334

OFFICE OF THE CHANCELLOR

August 13, 1981

MEMORANDUM

TO:

Members of the Ad Hoc Committee on Georgia State Law School

FROM:

Vernon Crawford, Chancellor

SUBJECT:

Update of SREB Report, Legal Education in the Southern Region

After the report on the law school which I mailed to you had been completed, I received the attached update from SREB on one of its reports which I had quoted in mine. The new figures and trends are different from those in the earlier version, and deserve a careful look.

On page 9 of my report I referred to the 1975 SREB report and said that it "...showed that in 1970 Georgia had 1.34 lawyers per 1000 population, whereas the national ratio was 1.75 and the ratio for the SREB states was 1.41. If the data for 1980 show no significant changes in these ratios, the argument can be made that Georgia is not experiencing an over-supply of lawyers; that, in fact, relative to both national and regional norms, it is under-supplied."

In the updated SREB report the comparable figures are found in Table 4 Page 10* and show that in 1980 Georgia had 2.19 lawyers per 1000 population whereas the national ratio was 2.54 and the ratio for the SREB states was 2.03. Relative to the national norm Georgia is still underrepresented by lawyers, but is now better represented than the average SREB state.

*Note that in order to calculate number of lawyers per 1000 population, one divides the numbers shown in Table 4 into 1000.

attachment

Conclusions and Summary

The demand for legal education has clearly crested nationally and in the region, as shown by declining first year enrollments and LSAT takers. So far this decline is a reflection of the job market for lawyers, rather than of the decreasing pool of 22-year olds which will affect enrollments in the future. Past trends do not indicate a sufficient growth of older students to offset the demographic changes in the younger age groups.

Despite the Southern region's population growth, and generally more stable higher education enrollments than for the U.S. as a whole, law school first year enrollments in the region have followed the downward national trend.

It is extremely difficult to project the demand for lawyers. Consumption patterns do change. What may have constituted a pattern of legal service utilization at one time may not suit a different generation. The last two decades witnessed an increase in litigation. Among the factors accounting for this increase are the development of consumer advocacy, more as well as complex governmental regulation, the emphasis of civil rights for minorities and women, and the development of publicly funded legal services.

Concurrent with these generators of demand for legal service has been the astounding increase in the supply of legal personnel, which has contributed to augmenting the amount of litigation and other legal activities. The extent to which this added supply has been absorbed in actual legal services is not clearly known. For example, there is little information on whether competition among lawyers has generally affected their earnings, notwithstanding the frequent reports by the news media of high legal fees and income for lawyers.

Comparisons of current annual admissions to the bar with various projections of demand indicate a continuing oversupply of lawyers. Yet the imbalance could possibly be absorbed in non-legal occupations for which the analytical skills which are developed in law studies may be beneficial. However, whether from a public policy perspective it is a cost efficient investment to prepare lawyers for non-legal work is an issue that has not been examined but should be considered in the future.

Also, if experience in legal principles and procedures is useful to various students who will not practice law, consideration should be given to possible means of providing such education other than through matriculation in a professional law school.

Downward Enrollment Trend

Expansion of education for the professions crested by the late 1970s. In the health professions, with the end of federal capitation grants, enrollments have topped and the federal government now suggests that medical schools cut their class size. Market saturation for some health professions, such as veterinary medicine and dentistry, has reduced the demand for education in these fields, with the result that efficient and full capacity operations of all existing schools in these fields may be endangered.

In the legal field, too, the demand for professional education reached a turning point in the mid-Seventies, with total U.S. first year enrollment in American Bar Association (ABA) approved law schools cresting in 1975, and now 5 percent below that maximum. The number of candidates for admission, as evidenced by LSAT takers, has dropped more precipitously than first year enrollments, and was 17 percent lower in 1979-80 than five years earlier.

The Association of American Law Schools reported that there were 196 full-time and 199 part-time unfilled slots in seven law schools for 1980. In recent years there have been virtually no unfilled spaces.

In the Southern region, first-year enrollments in law schools have also crested. As shown in Table 1, regional enrollment in ABA-approved schools was slightly lower in 1979-80 than four years earlier. The number of degrees awarded by the regions's approved law schools is still rising, reflecting the lagging relationship of this measure with earlier first-year enrollment declines.

The data in Table 1 reflect enrollments and degrees in the region's 44 ABA-approved schools as of the 1979-30 school term, and do not include the

TABLE 1
First-Year Enrollments and Degrees,
ABA Approved Schools, 1978-79

	First-Year Enrollments			J.D. and LL.B. Degrees		
	1969-70	1975-76	1979-80	1969-70	1975-76	1979-80
Alabama	352	/ 27			•	
Arkansas	314	437	464	153	356	385
Florida	1,292	347	359	95	183	250
	1,272	1,451	1,287	483	1,024	1,216
Georgia	480	568	660			,
Kentucky	460	59 3	669	230	520	496
Louisiana	754	987	519	168	460	453
Maryland	297	560	941	324	715	742
	231		515	87	482	488
Mississippi	203	311	216			
North Carolina	616	697		117	164	156
South Carolina	349	250	776	240	614	694
		250	289	119	277	219
Tennessee	545	613	618	250		
Texas	2,116	2,299	2,382	252	536	482
Virginia	652	762	798	937	1,789	1,873
West Virginia	103	131	146	307	704	742
		201	140	54	103	127
SREB States	8,533	10,006	9,979	2 566	7	
United States	34,713	39,996	40,717	3,566	7,927	8,323
		,,,,,,	40,717	17,085	32,597	34,536
South as a Per-						
cent of U.S.	25%	25%	25%	21%	24%	24%

Source: Section of Legal Education and Admissions to the Bar, American Bar Association, Review of Legal Education, 1971, 1976 and 1979.

region's 10 unapproved schools, most of which do not submit enrollment data to the ABA. These are indications that a few law schools in the region will deliberately further cut their entering classes, and that enrollments in the 1980s will continue modest declines. In one Southern state, the full—and part—time divisions of a law school are being merged this year, with a substantial enrollment cut (Northern Kentucky University). There has also been discussion in Kentucky about the possibility of eliminating one of the State's three law schools.

The smaller decline in first-year enrollments than of LSAT takers may have an effect on the quality of students accepted into law schools, as measured by their LSAT scores and undergraduate grade point averages. In 1975-76, of the applicants with LSAT's below 450 and undergraduate grade point averages below 2.5, only 21 percent were accepted. By 1979, the proportion accepted from this lowest scoring category was 30 percent. A recent report by the Association of American Law Schools focused on the implications of declining enrollments on law schools. "In educational terms, the major question raised by the probable drop in the applicant pool is the possible adverse impact on the demonstrated quality of those who are admitted to law school." The report warns that maintenance of current enrollment levels with a smaller pool of applicants would entail dipping more heavily into the group with the lower scores.

The Association also recognizes that a major reason for the decline in enrollments will be the demographic situation, with a 24 percent reduction by 1995 of 22-year olds—traditionally the heaviest contributor to law achool first—year classes. The Association examined the changing percentage of older students among law school candidates. From 1976 through 1979, the percentage of candidates aged thirty or older grew slightly—from 14 to 17 percent.

However, this trend is not sufficient to offset the decline in the traditional age group seeking a legal education.

Admissions to the Bar

The number of lawyers admitted to the bar in the United States continues to climb. In 1970, the total nationally was 17,922. By 1979 it reached 46,108 (or 42,758 if foreign attorneys admitted by "motion" are excluded).

In the Southern region too, the increase in the number of annual admissions to the bar has been tremendous. (See Table 2.) The average annual number of admittees in the 14 Southern states in the years 1976 through 1979 was 10,118, more than double the number in 1970. This 1976-79 annual average is still approximately 10 percent higher than the number for 1974-76.

As would be expected, with the successive annual admissions to the bar of 30,000-40,000 new lawyers, the number of lawyers in the U.S. has grown very rapidly. The number of practicing lawyers (including judges) is estimated by the American Bar Association on the basis of a detailed count in 1970, and projected by adding admissions and subtracting retirements. (A 6 percent retirement rate is assumed.) Until the 1980 Census data are released, the ABA data constitute the best available estimate of the active lawyer population.

As shown in Table 3, the estimated number of lawyers in the U.S. increased 22 percent from 1970 to 1977, and 33 percent from 1977 to 1981. If the 6 percent retirement rate proves to be inflated because of the recent addition of young lawyers, then these increases may be understated.

Recently the regional growth in the legal supply exceeded the national rate—a 37 percent increase for the South during the last four years, as compared to 33 percent nationally. The growth rate varied substantially among the Southern states: Florida, Georgia and Virginia increased at a considerably

TABLE 2
Admissions to the Bar 1960-1979

	1960	- 1970	1976-1979 Avg. Annual∻	
Alabama	84	128	383 .	
Arkansas	47	112	221	
Florida	452	871	. 2,172	
Georgia	151	449	1,008	
Kentucky	86	180	424	
Louisiana	180	363	623	
Maryland	371	436	666	
Mississippi	76	, 166	266	
North Carolina	140	206	464	
South Carolina	65	131	315	
Tennessee	144	214	505	
Texas	563	1,048	2,010	
Virginia	287	396	876	
West Virginia	52	87	185	
SREB States	2,698	4,787	10,118	
United States	10,505	17,922	36,958	
South as a Per-		-		
cent of U.S.	26%	27%	27%	

Source: National Conference of Bar Examiners, The Bar Examiner, Vols. 30; 40, 47, 48 and 49.

^{*}Excludes admission of foreign attorneys on motion.

TABLE 3
Lawyer Population, 1970-81

	Lawyers	T ~	wyers	Percent Increase,	
	1970	1977*	1981*	of Lawyers	
			1301	1977–1981	
Alabama	3,537	4,700	5,644	. 20%	
Arkansa s	2,107	2,726	3,384	. 20% 24%	
Florida	11,510	15,561	24,825	60%	
Georgia	6,140	7,520	11,961	59%	
Kentucky	3,875	4,805	6,618	38%	
Louisiana	5,502	7,153	9,256	29%	
Maryland	7,447	9,212	10,364	13%	
Mississippi	2,766	3,128	4,046	29%	
North Carolina	4,638	6,016	7,990	33%	
South Carolina	2,379	3,221	4,269	33%	
Tennessee	5,184	6,580	7,989	21%	
Texas	19,074	24,910	31,488	26%	
Virginia	6,893	7,872	14,087	79%	
West Virginia	1,820	2,264	2,632	0	
SREB States	82,872	105,668	144,553	37%	
United States	355,242	431,918	574,810	33%	
South as a Per-					
cent of U.S.	23%	24%	25%	25%	

^{*}Estimated number of lawyers less retirees, ABA reports the number of lawyers may be somewhat inflated by multiple bar memberships, judges and honorary members, but it is presently ABA's best estimate.

Source: 1971 Lawyer Statistical Report, and communication from American Bar Association.

faster rate than the other states. West Virginia is the only state for which no growth is estimated.

To determine the real growth rate in the availability of legal personnel, it is necessary to relate the increase in the number of lawyers to population increases. Population-to-lawyer ratios in Table 4 show the average number of people per lawyer in each Southern state. From 1970 to 1980 this average population-to-lawyer ratio in the South fell from 711 to 492, a 31 percent improvement in a decade. The improvement nationally for the same period was 572 to 394—also a 31 percent increase. However, the national average of 394 persons per lawyer is still well below the average of 492 for the region.

The indexes of population-to-lawyer ratios for 1970 and 1980 in Table 4 describe the changing position of the individual states relative to the national average. For example, Alabama's ratio in 1970 was 70 percent higher (or worse) than the U. S. average. By 1980 it had slightly worsened to 75 percent higher. States whose ratios improved by at least 10 percent, or that made considerable progress in meeting the national average during the decade, are Georgia and Virginia.

Of course population-to-lawyer ratios, while being a better indicator of the availability of legal services than just the number of lawyers in a state, still give no clear evidence of how well legal needs are being met. The ratios for states like Virginia and Maryland, which serve the nation's capital, do not reflect the expectation that such states would have lower population-to-lawyer ratios than an agricultural state like Mississippi. It could also be argued that very low population-to-lawyer ratios are not necessarily indicators of how well people are served legally, but rather that they might be overserved.

TABLE 4
Population to Lawyer Ratios*
1970-80

				Index of Population/ Lawyer Ratio Relative to U.S. Average	
	1970	1977	1980	1970	1980
Alabama	974	780	687	170%	175%
Arkansas	913	774	675	159	171
Florida	590	541	392	103	99
Georgia	748	661	457	130	116
Kentucky	831	713	553	145	140
Louisiana	662	537	454	115	115
Maryland	527	450	407	92	103
Mississippi	802	753	623	140	158
North Carolina	1,095	909	735	191	187
South Carolina	1,089	884	731	190	186
Tennessee	₩.757	640	575	132	146
Texas	587	501	452	102	115
Virginia	674	639	380	117	96
West Virginia	958	804	741	167	188
SREB States	711	614	49 2	124	125
United States	572	497	394	100	100

^{*}Contrary to the practice in medicine and veterinary medicine, ratios in the legal profession are calculated by population per lawyer, rather than lawyers per 100,000 population. Therefore a decrease in the ratio is an improvement in the availability of professional manpower in the legal profession.

Source: Law, Medicine & Veterinary Medicine, Southern Regional Education Board, Atlanta, 1978 p. 43 and personal communication, American Bar Association, 1981.

method developed by the U.S. Bureau of Labor Statistics. The openings included represent growth as well as replacement needs in the occupations of lawyer, judge, magistrate, and law clerk. The proportion of these openings accounted for by the "replacement" factor is at least one-half in most states. For the region, a total of only 6,600 openings, as compared to the 10,100 current annual admissions to the bar, is projected by the state Agency projections.

The second column in Table 5 shows average annual demand for lawyers to 1990 if the existing population-to-lawyer ratios are to be maintained as the region's population grows. This projection includes replacement needs for lawyers based on a six percent annual retirement rate. The total annual demand is estmated at 10,400, which approximates current admissions to the bar.

The final projection is based on the relationship in 1970 between a state's employment in the Finance, Insurance and Real Estate industries, (FIRE), and the supply of lawyers. Both cross-sectional and longitudinal analysis⁵ revealed that the magnitude of FIRE employment correlated more closely with the lawyer supply in the 50 states than other factors such as total population, per capita income or urban-rural distributions. Applying the equation that described this correlation in 1970 to projected population and FIRE employment in 1990 in each state yields 9,200 average annual openings, 10 percent below current annual admissions to the bar in the region. This projection method yields a lower number of lawyers in 1990 relative to 1930 in eight of the 14 Southern states, with openings in such states resulting only from replacement needs. The six states for which this projection method produces new jobs to keep up with FIRE employment are Alabama, Florida

TABLE 5
Projections of Annual Demand for Lawyers

	BLS Method (Early 1980s)	Maintain Current Ratios (To 1990)	"FIRE" Lawyer Ratios (To 1990)	Average Annual Admissions to Bar (1976-1979)
Alabama	270	375	359	383
Arkansas	60	232	195	221
Florida	1,250	2,122	2,110	2,172
Georgia	413	864	708	1,003
Kentucky	380	450	270	424
Louisiana	410	566	348	623
Maryland	800	.796	625	666
Mississippi	190	258	167	266
North Carolina	176	574	689	464
South Carolina	160	307	344	315
Tennessee	590*	518	431	505
Texas	1,430	2,134	2,225	
Virginia	370	1,046	582	2,010
West Virginia	119	161	115	876 185
SREB States	6,618	10,403	9,168	10,118

^{*}Including 420 judicial openings annually! This may include county elected officers who bear the title of "judge" in Tennessee.

Mississippi, North Carolina, South Carolina and Texas. Florida and Texas, with population-to-lawyer ratios that already approximate the national average, have the heaviest relative concentration in FIRE employment among the 14 Southern states. The other four of these states in recent years have not closed their population-to-lawyer ratio gaps against the national average.

- 1. Association of American Law Schools and Law School Admission Council, Report of the Joint Committee on the demand for Legal Education in the 1980s, Washington, D.C., July 10, 1980, p. 33
- 2. Ibid. p. 8.
- 3. Communication, American Bar Association, Legal Practice Department, July 10, 1981.
- 4. Association of American Law Schools, op. cit. p. 16.
- 5. David H. Stuart, <u>The Requirements for the Availability of Lawvers in North Carolina 1970-1980</u>, Research Triangle Institute, Research Triangle Park, N.C., pp. 33-39.
- 6. The assumed six percent replacement rate produces 8,700 openings annually, relative to the current 10,100 admissions to the bar.

CHARTER

The general purpose underlying the educational opportunities of the Georgia State University are described most effectively by the STATEMENT OF PURPOSE as adopted by the Georgia State University Faculty and approved by the Board of Regents on November 10, 1976, as follows:

Georgia State University endeavors to promote the advancement of knowledge through excellence in teaching, research, and public service. The University sees its role as meeting the need for a broad range of educational opportunities in the largest population center in the State. Its location adds an operational dimension to the education of students by affording opportunities to participate in the vast social, artistic, and scientific learning laboratory that characterizes modern society. In a climate of academic freedom, where creativity is encouraged, the University strives to serve individual students, other institutions of higher learning, social institutions and agencies, and society at large. The University thus endeavors to exercise direction and leadership by extending the boundaries of knowledge through research and scholarly activity, and by providing programs which embody excellence.

Georgia State University endeavors to develop in each student a respect for the dignity and worth of the individual; a desire and capacity for critical reasoning; an appreciation and understanding of ability to communicate; and a continuing desire for knowledge. By offering undergraduate, graduate, and advanced professional programs as well as expanded credit and noncredit educational opportunities in the continuing learning experience, the University seeks to assist individuals of all ages to discover and realize their own potentialities-to become a learning people rather than just learned people. The institution thereby endeavors to provide initially and on a continuing basis the requisites for competence, personal fulfillment, and responsible leadership in business and the professions, in the sciences, in the creative and performing arts, in government and public service, and in education.

The initiation of an accredited College of Law shall signal to the approximately two million persons in the recognized metropolitan area that opportunities now exist for the mature student, the working student, and all persons in the greater urban area for the successful undertaking of legal education and training. An accredited College of Law at this University will open the doors for professional education to thousands of persons restricted otherwise by lack of funds, or who are unable to undertake programs of university study for traditional law degrees on campuses where such studies do not exist beyond the traditional daily instruction in the customary morning hours. Particularly the married student with family and job obligations shall be given an opportunity to study law.

At the present time, there is not available anywhere in the geographical area described above, accredited day, evening, and night operations of legal education which afford opportunities of advancement for the citizenry.

Based on the 1980-81 enrollment of women (approximately 55% of the student body) and minorities (approximately 17%), the successful operation of accredited legal studies will insure that equal opportunity for a legal education is available under the auspices of the Board of Regents of the University System of Georgia, and that the equal protection of the laws is a reality in the metropolitan area.

In keeping with the aforestated PURPOSE, the law school at Georgia State University will emphasize professional dedication to the real problems of scholastic advancement and will graduate students, qualified by appropriate record and examination. It is not anticipated that the financial support authorized from, and provided by the Board of Regents to the University, will be diverted into channels not related to the first professional degree. No programs of a graduate legal studies nature are anticipated in the foreseeable future.