

## Training Lawyers on Saturdays and Sundays

Two law schools see a market in weekend programs, but accreditors are wary

BY KATHERINE S. MANGAN

**F**RANK FERNANDEZ works as a paralegal from 7 a.m. to 4 p.m. Monday through Friday, cares for his two young children in the evenings while his wife takes college classes, and still has time to attend law school at Hamline University.

"I'm at a point in my life where I can't afford to drop everything and attend law school full time," he says.

Instead, Mr. Fernandez typically hits the law books on weeknights after putting his children to bed. On Saturdays, he attends classes from 8:30 a.m. to 4 p.m. He's back in class on Sundays from 8:30 to 11 a.m. He plans to keep up that schedule for the next four years.

"It's a huge sacrifice, but one I'm willing to make, because I know it will benefit my family in the long run," he says.

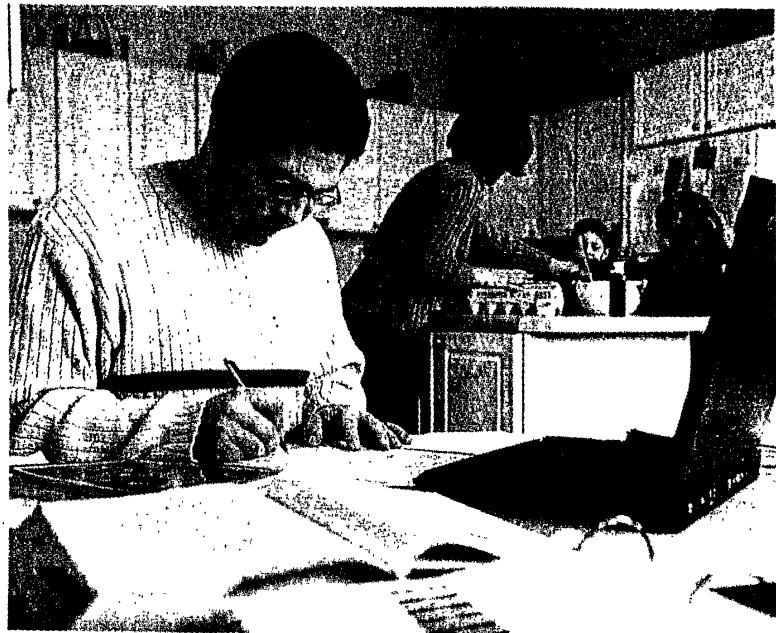
Mr. Fernandez takes part in a controversial new approach to earning law degrees: the weekend-only program.

### A WELCOME BREAKTHROUGH?

It's a concept that pits tradition-bound members of the American Bar Association against educators determined to attract working people and other nontraditional students to their campuses.

But is a program that meets only on Saturdays and Sundays a welcome breakthrough for students who couldn't otherwise become lawyers? Or a troubling example of law-school lite?

"I think the idea is here to stay," says Don LeDuc, dean of Thomas M. Cooley Law School, which also offers a weekend



Frank Fernandez, a weekend law student at Hamline U.: "I can't afford to drop everything and attend law school full time."

STEVE WOIT FOR THE CHRONICLE

program. "The notion that students can all go to law school full time and give up their jobs is outdated and doesn't reflect the way many people live their lives."

Last year, the ABA gave Cooley, in Lansing, Mich., permission to continue its weekend program, founded in 1997, which now has 187 students enrolled. In August, it allowed Hamline, in St. Paul, to follow suit with a smaller program, of 41 students.

Students who take the weekend classes year-round can complete their degrees in as little as three years at Thomas Cooley—the same as full-time students who take summers off. Hamline students typically can expect to complete the weekend program in four to five years. The degrees cost about the same, per credit hour, as their full-time counterparts.

Thomas Cooley and Hamline are the only ABA-accredited law schools currently offering weekend programs, but at least a half-dozen others, including the University of San Francisco and Capital University, in Columbus, Ohio, are considering them.

That concerns ABA officials, who last week recommended changes in the association's standards for weekend programs.

Under the new standards, law schools wishing to offer weekend programs would have to prove that all of their students "have the realistic opportunity to benefit from regular interaction with full-time faculty and other students, from such co-curricular programs as journals and competi-

tion teams, and from special events such as lecture series and short-time visitors." The proposals, which are being sent to law deans around the country, are available on the Web at <http://www.abanet.org/legaled/standards/proposed.html>

### 130 CLASS DAYS

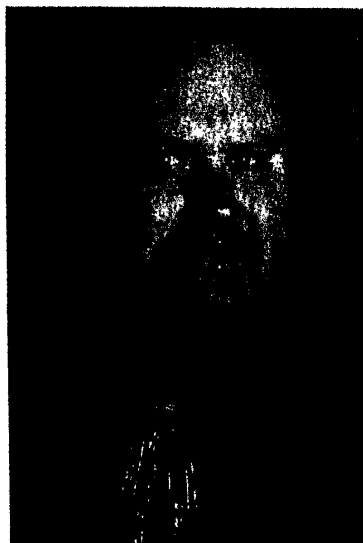
Some ABA officials remain skeptical that weekend programs can satisfy accrediting rules. "I believe weekend programs are inconsistent with certain ABA standards," says Peter A. Winograd, associate dean at the University of New Mexico School of Law, citing an ABA requirement that the academic year consist of at least 130 class days. He serves on the council that oversees ABA accreditation.

A program offered only on Saturdays and Sundays would fall short of the 130-day minimum. Depending on how the rules are interpreted, however, such a shortfall might be permitted if the school as a whole offered classes on 130 days. "I am prepared to go into this with an open mind, but these are important issues that need to be resolved," Mr. Winograd says.

The bar association typically accredits law schools, not individual programs. In order to remain accredited, a school must convince the ABA that any new programs won't detract from the J.D. program.

Both Hamline and Thomas Cooley offer full-time law programs during the week.

Weekend programs also must have the  
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ROBERT BAUMGARDNER FOR THE CHRONICLE

Michael A. Olivas, a law professor who is a member of an accrediting group: "If it were easy to get a law

degree, everyone would have one."

## MONEY &amp; MANAGEMENT

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same proportion of full-time faculty members as the school's full-time program. Although officials of both Thomas Cooley and Hamline say they've persuaded enough professors to give up occasional weekends, other schools might find instructors less than enthusiastic.

Despite the doubts that Mr. Winograd and some of his colleagues at the ABA have about weekend programs, the council has allowed the programs to continue while it studies the accreditation issues.

Weekend study doesn't appear to have hurt graduates of Thomas Cooley's first weekend class, according to their scores on the 1999 and 2000 Michigan bar exams. Students who took at least 21 weekend credit hours had a first-time pass rate of 75 percent, compared with 71 percent for those with three or fewer weekend credit hours. The statewide average for those tests was about 77 percent.

Despite the ABA's renewed approval for his school's weekend program, Mr. LeDuc says he finds the association's accreditation requirements frustrating at times. He also finds some of the messages sent by the association to be contradictory.

"The ABA is constantly asserting that minorities and others should have opportunities for legal education," he says, "but their requirements often have the opposite effect."

Similar refrains have been heard

over the years from law schools serving large numbers of minorities and working students.

## LEGAL CHALLENGES

Sometimes they do more than just complain. In July, a group of students and alumni of the Barry University School of Law sued the ABA, arguing that its accreditation standards protect "the educational elite" at the expense of minority students (*The Chronicle*, July 26). Barry bought the school in 1999 from the financially troubled University of Orlando.

Since then, the association has rejected Barry's application for provisional accreditation four times, citing questions about the school's economic stability and the quality of its graduates. The most recent rejection last week prompted the law dean, Stanley Talcott, to offer his resignation. University officials declined to accept it and plan to appeal the ABA panel's decision.

In another challenge, the unaccredited Massachusetts School of Law unsuccessfully sued the ABA and other law-school groups in 1993, saying they were driving up the cost of legal education by imposing costly accreditation requirements.

The ABA insists that it's simply trying to uphold high standards. But its critics charge that the group is trying to limit competition from nontraditional programs that threaten the status quo.

"It's difficult to convince the good-old-boy system that it's just as meaningful as the one they experienced," says Margaret Philpot-Baditot, a graduate of Thomas Cooley's first weekend class who is now a lawyer in a civil-practice law firm in Grand Blanc, Mich. She is also an adjunct professor in the school's weekend program.

Attending classes on Saturdays and Sundays allowed her to be at home with her young children during the week, she says, adding that she participated in moot court, was a law-review editor, and passed the bar exam on her first try.

"I think a weekend program is even more intense than a traditional one," she says. "Your whole focus, for 48 hours, is on the study of law."

A classmate, Joan Schlender, used her law degree to win a promotion at Hormel Foods from Spam saleswoman to corporate lawyer.

Another 2000 graduate of Cooley, Peter Jarldane, juggled his studies with full-time work as a commercial-airline pilot, flying in for classes two days a week. "It took me 480 flights to get my law degree," he says.

Susan Lucas and Ray Spencer discovered Hamline's program while they were looking for a way to attend law school without having to move from their cabin in the woods of northern Minnesota. They hope to use their law degrees to serve nearby rural communities.

Now, on Saturdays, they get up at 5 a.m. and drive three and a half hours to the Hamline campus. They drive home on Sunday afternoons.

Is their schedule any more stressful, or any less effective, than attending evening law classes after working an eight-hour day? Legal experts are divided.

"Some of our members feel the weekend program may be too tele-scoped and not provide the time people need to absorb the material," says John A. Sebert, a consultant to the ABA's legal-education section.

John Nussbaumer, associate dean of Thomas Cooley's law faculty, argues that a weekend schedule can be more effective than a part-time evening program, "because the students start each day fresh and are immersed for two consecutive days, during which they eat, sleep, and breathe nothing but the law."

## FEW IMITATORS

So far, however, the weekend-only idea is not taking off.

Faculty members at the New England School of Law will vote next month on approving a weekend program. On the basis of surveys of professors and potential applicants it doesn't look likely.

"Some of the issues that give us pause are the number of individuals who would actually be interested in giving up their weekends on a long-term basis," says Charles W.

Sorenson, a law professor who heads the school's curriculum committee. "For most people, that's a time for relaxation and family."

Since government offices and law firms are usually closed on weekends, he adds, opportunities for clinical practice would also be limited.

Michael A. Olivas, a law professor at the University of Houston who is a member of the ABA's law-school accrediting council, is critical of the weekend-only programs, even though he, himself, had worked full-time while pursuing his law degree at night. He questions whether a weekend program can deliver the same results.

"I realize that some people can only do this during the weekend," he says, "though I would question their commitment to legal study. I think they underestimate the degree of difficulty and the time it takes away from other full-time commitments. If it were easy to get a law degree, everyone would have one."

Such a critique doesn't sit well with those in the business of providing weekend law programs.

"I think that's unfair," says Michelle K. Harker, assistant dean of Hamline's program. "Lots of people are committed to their families or their jobs and can't afford to attend a traditional program. There are a lot of good, solid people who otherwise wouldn't have access to a legal education." ■