



March 25, 2024

Hon. Bridget Mary McCormack, Chair
Council, Section of Legal Education and Admission to the Bar
American Bar Association
c/o Fernando Mariduena
Fernando.Mariduena@americanbar.org

RE: Comment on Standards 102 and 306

Dear Chair McCormack,

On behalf of the Officers and Trustees of the State Bar of Montana, I write today to offer our organization's brief comment in support of the proposed revisions to Standards 102 and 306, and to share our perspective as a bar organization in rural America.

The Montana Supreme Court requires graduation from an ABA-accredited law school as a prerequisite for admission to the State Bar of Montana, a unified bar of approximately 3,200 active, in-state attorneys serving the nation's fourth largest state.

Not only are our attorney members spread across a vast landscape, but Montana has only one law school, the Alexander Blewett III School of Law at the University of Montana. The State Bar maintains a strong relationship with the Blewett School of Law. We are proud of its students and faculty.

Educating a new lawyer to serve the people of Montana means training an individual who may be the only lawyer in their community and for some distance beyond. Our state law school does this well, in an environment that fosters a strong sense of community and focuses on developing practice-ready students through a skills-based curriculum. In-person, collaborative education has been a core part of the school's history. That, in turn, has made Montana a good, largely collegial place to practice law, a sentiment frequently shared by our members.

However, we recognize that Montana's law school is only able to enroll fewer than one hundred students per class in its physical setting in Missoula, located on the far western side of the state. Our state is growing quickly, increasing the demand for legal services, and outpacing the size of the graduating classes. And, for some residents of Montana, moving across the state, or perhaps even out-of-state, for three years to attend law school simply is not an option.

These challenges require innovation.

Hon. Bridget Mary McCormack, Chair

Page 2

March 25, 2024

Fortunately, advances in technology have allowed us to change the way we practice law, particularly after the global pandemic, and they hold promise here. For example, the lawyers of our state are increasingly using remote appearances to represent clients in rural locations, and the Montana Judicial Branch is continuing to invest in technology to allow for the same. Developments like this promise to help bridge our state's access to justice divide.

Our own organization is changing as well. In the last four years, synchronous online education has become the norm for the State Bar of Montana. Online delivery of our continuing legal education programming has allowed us to reach members who were previously unable to leave their practices and communities, sometimes for days, to attend our seminars.

So too, we are informed that the Blewett School of Law is beginning to examine new remote learning opportunities. We strongly support those efforts, particularly those focused on rural Montana.

We recognize the importance and value of in-person legal education and hope that it will remain a strong component of the law school experience for many students. However, just as with our own online seminars, we understand that to expand legal education opportunities in Montana and to allow our bar to keep pace with the demand for legal services, remote online learning will be an increasingly important tool.

Thus, we commend the Council for its prior efforts to allow for increased distance education for ABA-accredited law schools. We likewise offer our support for the development standards to allow for a fully online law school to seek ABA-approval through the proposed amendment to Standards 102 and 306.

Sincerely,



John Mudd,
Executive Director and General Counsel

Cc: Hon. Mike McGrath, Chief Justice
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