

Nine Facts to Know about the American Bar Association and Accreditation of Online Legal Education Programs

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1. Law school accreditation standards are developed and approved by the ABA's Council of the Section of Legal Education and Admissions to the Bar, which is made up of both lawyers and nonlawyers. The Council of the Section is **independent** of the larger ABA for accreditation purposes.
2. Almost all state supreme courts limit eligibility for first-time bar admission to graduates of ABA-approved law schools. Exceptions include California that has its own detailed accreditation standards for law schools and Virginia that has a law reader internship program subject to extensive complex rules.
3. ABA accreditation standards have two purposes:
 - To ensure that law students have a rigorous program to prepare graduates for admission to the bar and effective, ethical, and responsible participation in the practice of law.
 - To ensure that law students are not subject to economic exploitation from substandard law schools where they have little chance of graduating, passing the bar or employment.
4. Current ABA accreditation standards permit accredited law schools to offer online, distance learning. Currently, 17 schools have applied and been approved. The first wholly online law school approved by the ABA (St. Mary's of Texas) was launched in fall of 2022.
5. Currently, only ABA-approved law schools, which must have a physical facility, can offer a wholly online program. In November of 2023, the Council proposed a standard, for notice and comment, that would allow law schools **with or without** a physical facility to seek ABA approval for a wholly online program.
6. The Council developed this proposal because of its concern about the limited supply of lawyers in rural areas, the difficulty of those with family, work, military, or other obligation to attend physical facility law schools and the general cost of a traditional legal education.
7. The US Department of Education requires fair notice be given as to any proposed changes in accreditation standards, meaning that the earliest these changes can take place is in the second half of 2025. This will give time for wholly online law schools to prepare for ABA approval.
8. When the proposed standards are adopted, wholly online law schools, if accredited by the ABA, will have to meet the same quality standards as current ABA-approved law schools to ensure high-quality programs and to protect against economic exploitation of law students.
9. The national response that the ABA proposes for online law schools is better than piecemeal solutions that water down admission to the bar requirements by admitting substandard lawyers.