

# Changes in Reporting and Classifying of Law-School-Funded Positions Result in Decline in Number of Graduates in Full-Time, Long-Term Law-School-Funded Bar-Passage-Required Positions

By [Jerry Organ](#)

This blog posting summarizes how recent changes in the definition and reporting of law-school-funded positions have impacted the number of law-school-funded positions classified as full-time, long-term or full-time, short-term bar-passage-required positions for graduates in the Class of 2015. Comparisons between results for the Class of 2014 and the Class of 2015 show a significant decline in the number of full-time, long-term bar-passage-required positions that are law-school-funded (from 831 to 398) and a significant increase in the number of full-time short-term bar-passage-required positions that are law school funded (from 184 to 277). Overall the number of law-school-funded bar-passage-required positions declined by one-third, from 1015 to 675, as a result of these changes.

## Changes in Reporting Framework and Definition

In [March 2015](#), the Council for the Section of Legal Education and Admissions to the Bar approved a change in the reporting of law-school-funded positions to take effect this spring with reporting of employment outcomes for the Class of 2015. Previously, law schools included law-school-funded positions within all other employment categories “above the line” and then delineated “below the line” the number of law-school-funded positions in each category. Under this approach, between the Class of 2012 and the Class of 2014, the number of full-time, long-term bar-passage-required positions that were law-school-funded increased from 517 to 831, an increase of more than 60%.

With the change, however, the Council added “Employed – Law School Funded” as a separate “above the line” category such that law-school-funded positions no longer are included in other categories (e.g., Employed – Bar Passage Required or Employed – JD Advantage), although law schools are still required to provide more detailed information about the different categories of law-school-funded jobs “below the line” on the employment summary report.

In [July 2015](#), the Council also approved a change in the definition of when a law-school-funded position may be classified as a “long-term” position, requiring that it be a position the employer expects to last at least one year with a salary of at least \$40,000 per year.

**Long Term.** (OLD DEFINITION) A long-term position is one that does not have a definite or indefinite term of less than one year. It may have a definite length of time as long as the time is one year or longer. It may also have an indefinite length of time as long as it is expected to last one year or more.

**Long-term.** (NEW DEFINITION) A long-term position is one that the employer expects to last one year or more. A law school/university funded position that the law school expects to last one year or more may be considered long-term for purposes of this definition only if the graduate is paid at least \$40,000 per year. . . .”

This change also took effect with the reporting of employment outcomes this spring for the Class of 2015.

An example might help explain how these changes might impact classification of a given position. Assume you have a graduate of Law School A in 2014 who took a one-year position as a lawyer with a public interest law firm as part of a “bridge-to-practice” program, working on a full-time basis and receiving a stipend of \$24,000 paid partly by the law school. Law School A agreed to subsidize a portion of the stipend for a year but the law school continued to support the graduate’s ongoing effort to seek other gainful employment during the year.

In the Class of 2014 reporting format, this graduate could have been classified and probably would have been classified “above the line” in the full-time, long-term Employed – Bar Passage Required category because the job had a defined duration of one year even though the student might not be planning on staying in the position for the entire year. (This graduate also would have been listed separately “below the line” in the law-school-funded category as having a full-time, long-term bar-passage-required position).

Following the March 2015 changes, a Class of 2015 graduate in the same job, working as a lawyer with a public interest law firm on a full-time basis and receiving a stipend of \$24,000 paid partly by the law school, would have been classified “above the line” in the full-time, long-term Employed – Law School Funded category and not in full-time, long-term Employed -- Bar Passage Required. (As was the case with the Class of 2014 graduates, this graduate also likely would have been listed separately “below the line” in the law-school-funded category as having a full-time, long-term bar-passage-required position).

Following the July 2015 changes, a Class of 2015 graduate in the same job, working as a lawyer with a public interest law firm on a full-time basis and receiving a stipend of \$24,000 paid partly by the law school, would be classified “above the line” in the full-time, short-term Employed – Law School Funded category because under the new definition of “long-term” either or both the lack of an employer expectation that the job would last for one year or more or the lack of a stipend of at least \$40,000 would mean that this job would not qualify as “long-term” and therefore would be classified as “short-term.” (This graduate also would be listed separately “below the line” in the law-school-funded category as having a full-time, short-term bar-passage- required position).

## Consequences of the Change in Reporting Framework and Definition

With the ABA’s release of its Employment Summary report reporting employment for graduates of the Class of 2015 ten months after graduation, we can compare law-school-funded positions for the Class of 2015 with law-school-funded positions for the Class of 2014. The following table includes results from all law schools listed in the ABA’s Employment Summary spreadsheets for the Class of 2014 and for the Class of 2015.

***Law School Funded Bar Passage Required, Full-Time, Long-Term and Full-Time, Short-Term Positions for the Class of 2014 and Class of 2015***

| YEAR          | FTLT BPR LSF | FTST BPR LSF | TOTAL BPR LSF |
|---------------|--------------|--------------|---------------|
| Class of 2014 | 831          | 184          | 1015          |
| Class of 2015 | 398          | 277          | 675           |

Full-time, long-term bar-passage-required positions that were law-school-funded declined by more than 50% from 831 to 398. Meanwhile, full-time, short-term bar-passage-required positions that were law-school-funded increased by roughly 50% from 184 to 277. Overall, however, law-school-funded positions that were in one of these two categories declined by 340 or by roughly 33%, from 1015 to 675.

Although it is not easy to know for sure, the most plausible explanation for these changes is that some of the jobs previously classified as full-time, long-term bar-passage-required positions had a stipend or salary lower than \$40,000 per year and that law schools offering such positions could not increase the salary sufficiently to continue to have such positions classified as full-time, long-term bar-passage-required positions under the new regime. Alternatively, or additionally, some positions may not have been classified as full-time, long-term bar-passage-required positions if the employers with graduates with law-school-funded positions did not expect that the position would last for at least one year. These possibilities would explain the shift of some positions from full-time, long-term to full-time, short-term, but they would not necessarily explain the complete loss of so many law-school-funded bar-passage-required positions.

The loss of roughly one-third of the law-school-funded bar-passage-required positions might be explained partly by the decline in the number of graduates passing the July 2015 bar exam compared with July 2014.

Additionally, a portion of the loss of roughly one-third of the law-school-funded bar-passage-required positions

also might be explained by the reality that there was more perceived “value” in a law school being able to claim a law-school-funded position as a full-time, long-term bar-passage-required position than a full-time, short-term bar-passage-required position. With the change in reporting framework and definition, some law schools may have concluded that further investment in law-school-funded positions was not justifiable, particularly given how USNews accounts for these positions in its rankings (a point highlighted by Derek Muller in his [post](#) about these changes in law-school-funded positions).

## Different Responses across Different Law Schools

- **The Top-25 Law Schools for Full-Time, Long-Term Law-School-Funded Bar-Passage-Required Positions for the Class of 2014**

The decline in law-school-funded bar-passage-required positions was manifested most particularly at several law schools. The top-25 law schools for full-time, long-term, bar-passage-required positions that were law-school-funded for the Class of 2014 (those schools with 10 or more law-school-funded positions classified as full-time, long-term bar-passage-required positions), are responsible for the vast majority of the decline in such positions for the Class of 2015. Across these 25 law schools, the number of graduates in full-time, long-term bar-passage-required positions that were law-school-funded fell from 676 to 295, a drop of 381 out of the total decline of 440 or nearly 87% of the total decline in such positions. Across these 25 law schools, the number of graduates in full-time, short-term bar-passage-required positions that were law-school-funded increased from 11 to 213, far exceeding the actual increase in such positions (which was counter-balanced by several schools greatly reducing the number of full-time, short-term bar-passage-required positions that were law-school-funded).

- **14 Law Schools in the Top-25 for Law-School-Funded Positions that Saw Significant Changes in Law-School-Funded Bar-Passage-Required Positions Between the Class of 2014 and the Class of 2015**

There was a subset of 14 law schools within this group that saw the most significant changes between the Class of 2014 and the Class of 2015, being responsible for 359 of the 440 decline in full-time, long-term bar-passage-required positions that were law-school-funded and being responsible for an increase from 8 to 202 in the full-time, short-term bar-passage-required positions that were law-school-funded. These 14 law schools are set forth in the following table in descending order of the full-time, long-term bar-passage-required law-school-funded positions in the Class of 2014.

| School              | 2014 LSF<br>FTLT<br>BPR | 2015 LSF<br>FTLT<br>BPR | 2014 LSF<br>FTST<br>BPR | 2015 LSF<br>FTST<br>BPR | 2014 Graduates | 2015 Graduates |
|---------------------|-------------------------|-------------------------|-------------------------|-------------------------|----------------|----------------|
| George Washington   | 78                      | 6                       | 0                       | 19                      | 584            | 465            |
| Georgetown          | 64                      | 35                      | 0                       | 53                      | 626            | 678            |
| Emory               | 52                      | 0                       | 0                       | 20                      | 268            | 308            |
| American            | 44                      | 4                       | 0                       | 40                      | 460            | 464            |
| Michigan            | 33                      | 2                       | 5                       | 21                      | 390            | 354            |
| Southern California | 31                      | 7                       | 0                       | 20                      | 217            | 213            |
| Texas               | 23                      | 11                      | 1                       | 1                       | 351            | 354            |
| Vanderbilt          | 22                      | 0                       | 0                       | 12                      | 194            | 185            |
| Notre Dame          | 22                      | 4                       | 1                       | 0                       | 179            | 179            |
| California-Berkeley | 20                      | 11                      | 1                       | 2                       | 287            | 278            |
| William and Mary    | 19                      | 0                       | 0                       | 3                       | 215            | 178            |

| School           | 2014 LSF<br>FTLT<br>BPR | 2015 LSF<br>FTLT<br>BPR | 2014 LSF<br>FTST<br>BPR | 2015 LSF<br>FTST<br>BPR | 2014 Graduates | 2015 Graduates |
|------------------|-------------------------|-------------------------|-------------------------|-------------------------|----------------|----------------|
| California-Davis | 19                      | 9                       | 0                       | 0                       | 169            | 185            |
| Washington Univ. | 14                      | 2                       | 0                       | 10                      | 258            | 228            |
| Cornell          | 11                      | 2                       | 0                       | 1                       | 191            | 183            |
| TOTAL            | 452                     | 93                      | 8                       | 202                     | 4389           | 4252           |

Notably, across these 14 law schools, the total number of bar-passage-required positions that were law-school-funded declined from 460 (of which only eight were short-term) for the Class of 2014 to 295 (of which 202 were short-term) for the Class of 2015. At these 14 law schools, therefore, there not only was a decline of 165, over one-third, in the number of full-time, law-school-funded, bar-passage-required positions, there also was a dramatic shift in the ratio of full-time, long-term to full-time, short-term bar-passage-required positions, from over 98% to less than 33%.

- 11 Law Schools in the Top-25 for Law-School-Funded Positions that Did Not See Significant Changes in Law-School-Funded Bar-Passage-Required Positions Between the Class of 2014 and Class of 2015**

At the other 11 law schools among the top-25 for law-school-funded positions that were bar-passage-required in the Class of 2014 there was not a significant decline in law-school-funded positions that were bar-passage-required for the Class of 2015. These 11 law schools are set forth in the following table in descending order of the full-time, long-term bar-passage-required law-school-funded positions in the Class of 2014.

| School            | 2014 LSF<br>FTLT<br>BPR | 2015 LSF FTLT<br>BPR | 2014 LSF FTST<br>BPR | 2015 LSF FTST<br>BPR | 2014 Graduates | 2015 Graduates |
|-------------------|-------------------------|----------------------|----------------------|----------------------|----------------|----------------|
| New York Univ.    | 36                      | 30                   | 0                    | 2                    | 479            | 485            |
| Virginia          | 33                      | 30                   | 0                    | 0                    | 349            | 367            |
| UCLA              | 31                      | 31                   | 2                    | 0                    | 336            | 335            |
| Columbia          | 31                      | 28                   | 0                    | 0                    | 468            | 413            |
| Harvard           | 24                      | 20                   | 1                    | 0                    | 586            | 589            |
| Illinois          | 15                      | 10                   | 0                    | 2                    | 185            | 181            |
| Boston University | 12                      | 12                   | 0                    | 0                    | 246            | 208            |
| Brigham Young     | 11                      | 9                    | 0                    | 0                    | 138            | 133            |
| Chicago           | 11                      | 6                    | 0                    | 5                    | 210            | 196            |
| California-Irvine | 10                      | 20                   | 0                    | 0                    | 93             | 110            |
| Stanford          | 10                      | 6                    | 0                    | 2                    | 187            | 195            |
| TOTAL             | 224                     | 202                  | 3                    | 11                   | 3277           | 3212           |

These law schools either already had salaries of at least \$40,000 for most of their law-school-funded bar-passage-required positions for the Class of 2014 or made the decision to make sure that the vast majority of their law-school-funded bar-passage-required positions for the Class of 2015 had salaries of at least \$40,000, as the number of full-time, long-term law-school-funded positions that were bar-passage-required across these 11 law schools only declined by 22 while the number of full-time, short-term law-school-funded positions that were bar-passage-required increased only by eight. The ratio of full-time, long-term to full-time, short-term bar-passage-required positions across these 11 law schools changed very little, from over 98% to nearly 95%.

- The Remaining Law Schools**

Across the remaining law schools, for the Class of 2014, there were only 57 law schools across which there were 155 law-school-funded positions that were full-time, long-term bar-passage-required positions. For the Class of 2015, there were only 46 law school across which there were 103 full-time, long-term positions that

were bar-passage-required. Across this set of schools, therefore, there was a decline of 52 positions or roughly one-third in the number of full-time, long-term bar-passage-required positions.

Across all the remaining law schools, for the Class of 2014, there were only 24 law schools with a total of 173 full-time, short-term bar-passage-required law-school-funded positions. For the Class of 2015, there were only 19 law schools with a total of 64 full-time, short-term bar-passage-required, law-school-funded positions. Thus, full-time, short-term bar-passage-required positions that were law-school-funded declined across these law schools by over 100.

In total, then, these other law schools saw law-school-funded bar-passage-required positions decline from a total of 328 for the Class of 2014 to only 167 for the Class of 2015, a decline of nearly 50%.

## **Total Changes in Law-School-Funded Bar-Passage-Required Positions**

### **Between the Class of 2014 and the Class of 2015**

|                                          | 2014 LSF BPR FTLT   | 2015 LSF BPR FTLT   | 2014 LSF BPR FTST   | 2015 LSF BPR FTST  |
|------------------------------------------|---------------------|---------------------|---------------------|--------------------|
| Top 25 (10 or more LSF BPR FTLT in 2014) | 676                 | 295                 | 11                  | 213                |
| 11                                       | 224                 | 202                 | 3                   | 11                 |
| 14                                       | 452                 | 93                  | 8                   | 202                |
| Other Schools with LSF                   | 155<br>(57 schools) | 103<br>(46 schools) | 173<br>(24 schools) | 64<br>(19 schools) |
| Total                                    | 831                 | 398                 | 184                 | 277                |

*(I am very grateful to Janelle Chambers for her research assistance in compiling this data and am very grateful to Scott Norberg and Bernie Burk for helpful comments on earlier drafts of this blog posting.)*

**Source: [Changes in Reporting and Classifying of Law-School-Funded Positions Result in Decline in Number of Graduates in Full-Time, Long-Term Law-School-Funded Bar-Passage-Required Positions](#), Monday, May 2, 2016**