Idaho State Board of Education
Proposal for Undergraduate/Graduate Degree Program

<table>
<thead>
<tr>
<th>Date of Proposal Submission:</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Institution Submitting Proposal:</td>
<td>University of Idaho</td>
</tr>
<tr>
<td>Name of College, School, or Division:</td>
<td>College of Law</td>
</tr>
<tr>
<td>Name of Department(s) or Area(s):</td>
<td>n/a</td>
</tr>
</tbody>
</table>

Program Identification for Proposed New or Modified Program:

<table>
<thead>
<tr>
<th>Program Title:</th>
<th>Expansion of JD program by addition of 1st-year courses in Boise</th>
</tr>
</thead>
<tbody>
<tr>
<td>Degree:</td>
<td>JD Degree Designation Undergraduate X Graduate</td>
</tr>
<tr>
<td>Indicate if Online Program:</td>
<td>Yes X No</td>
</tr>
<tr>
<td>CIP code (consult IR /Registrar):</td>
<td>22.0101</td>
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<tr>
<td>Proposed Starting Date:</td>
<td>August 21, 2017</td>
</tr>
<tr>
<td>Geographical Delivery:</td>
<td>Location(s) Boise Region(s)</td>
</tr>
<tr>
<td>Indicate (X) if the program is/has:</td>
<td>Self-Support X Professional Fee</td>
</tr>
<tr>
<td>Indicate (X) if the program is:</td>
<td>Regional Responsibility X Statewide Responsibility</td>
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</table>

Indicate whether this request is either of the following:

- [ ] New Degree Program
- [ ] Consolidation of Existing Program
- [ ] Undergraduate/Graduate Certificates (30 credits or more)
- [ ] New Off-Campus Instructional Program
- [X] Expansion of Existing Program
- [ ] Other (i.e., Contract Program/Collaborative)

<table>
<thead>
<tr>
<th>College Dean (Institution)</th>
<th>Date</th>
<th>Vice President for Research (Institution; as applicable)</th>
<th>Date</th>
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<tbody>
<tr>
<td>Graduate Dean or other official (Institution; as applicable)</td>
<td>Date</td>
<td>Academic Affairs Program Manager, OSBE</td>
<td>Date</td>
</tr>
<tr>
<td>FVP/Chief Fiscal Officer (Institution)</td>
<td>Date</td>
<td>Chief Academic Officer, OSBE</td>
<td>Date</td>
</tr>
<tr>
<td>Provost/VP for Instruction (Institution)</td>
<td>Date</td>
<td>SBOE/Executive Director Approval</td>
<td>Date</td>
</tr>
<tr>
<td>President</td>
<td>Date</td>
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Rationale for Creation or Modification of the Program

1. **Describe the request and give an overview of the changes that will result.** Will this program be related or tied to other programs on campus? Identify any existing program that this program will replace.

   This document seeks the Board’s approval to expand curricular offerings at the Boise campus of the University of Idaho College of Law by offering first-year law courses at that campus. If approved, this expansion completes the dual-location model that the University has been developing with the Board’s approval and under its supervision since 2008. The dual-location model will permit students to take all course work required to earn the Juris Doctor degree at either the Moscow campus or the Boise campus, or both.

   By way of background, in August 2008, the University of Idaho sought approval from the Board of Regents/State Board of Education to establish a branch location of the College of Law in Boise, as a second place for delivery of the J.D. degree, in addition to the existing location in Moscow. In response, the State Board passed the following motion:

   “A motion to authorize the University of Idaho to expand its offerings in Boise to a full third year curriculum and to include a legislative appropriation in the FY 2010 budget for this expansion. The Regents recognize the statewide mission of the University of Idaho for legal education. The University is instructed to re-visit the issue of funding and support for a full dual location model, including a full three year branch curriculum in Boise, to continue collaboration with the Idaho Supreme Court on the Idaho Law Learning Center with respect to those programs to be delivered in Boise, and return to the Regents for further discussion.”

   In accordance with the Board’s 2008 motion and following approval (formally known as “acquiescence”) by the American Bar Association – which serves as the accrediting agency for the College of Law – the College implemented a full third-year curriculum in Boise in fall 2010, relying on a combination of College and central university funds. In further accordance with the Board’s 2008 motion, the College and central university officials continued planning for a full dual-location model.

   On August 16, 2012, the Board voted conditionally to approve the University’s appropriation request of $400,000 to expand its offerings in Boise to include a full second-year curriculum – the condition being that the expansion itself be approved by the Board. The Board gave that approval in October 2012.

   Implementation of the second-year curriculum in Boise was delayed. The delay occurred because the Governor did not include the University’s base funding request of $400,000 in his FY2014 budget request, and because the College’s enrollment predictions did not match actual enrollments, due to a nationwide downturn in the volume of law school applications. The Governor did include the University’s base funding request of $400,000 in his FY2015 budget, however, enabling implementation of the Board-approved second-year curriculum in fall 2014.
In fall 2015, the College relocated from the University’s Boise Water Center to the former Ada County Courthouse, which had been renovated and renamed the Idaho Law and Justice Learning Center (ILJLC). The ILJLC is a multipurpose facility that houses:

- The College of Law in Boise
- The Idaho State Law Library
- The Idaho Supreme Court’s judicial education and training facilities
- Public civil outreach and education space

As stated above, this document contains the University’s request to complete the dual-location model by expanding the College of Law curriculum in Boise to include the first-year law curriculum along with the existing second- and third-year curriculum. The proposed first-year curriculum thus does not create a new program. Rather, it is an addition to the existing curriculum at the Boise campus that will enable students to matriculate at the Boise campus, and to complete all course requirements for the J.D. degree, without having to spend their first year at the Moscow campus. At the same time, the two locations will be part of a fully integrated unitary program. Students in each location will be able to take course work and engage in co-curricular activities at the other location through state-of-the-art distance-education technology. Faculty at each location will collaborate using that same technology and through frequent visits to the other campus. Finally, students who matriculate at the Moscow campus will be able to relocate to the Boise campus after their first year, and again after their second year of coursework, to take advantage of the experiential education opportunities and networking opportunities that abound in Boise. Students at each location do public service, as well, by participating in externships with public agencies and engaging in the 50 hours of pro bono legal service (under attorney supervision) required to earn the J.D. degree.

Completion of the dual location model furthers the University’s statewide mission to provide public legal education in Idaho by offering an affordable, high-quality J.D. program in a rural setting, on the University’s main campus, and in a metropolitan setting, at the State’s seat of government.

2. **Need for the Program.** Describe the student, regional, and statewide needs that will be addressed by this proposal and address the ways in which the proposed program will meet those needs.

   a. **Workforce need:** Provide verification of state workforce needs that will be met by this program. Include State and National Department of Labor research on employment potential. Using the chart below, indicate the total projected annual job openings (including growth and replacement demands in your regional area, the state, and nation. Job openings should represent positions which require graduation from a program such as the one proposed. Data should be derived from a source that can be validated and must be no more than two years old.

   List the job titles for which this degree is relevant:

   1. Lawyers
   2. Judicial Law Clerks
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<tr>
<th>Local (Service Area)</th>
<th>State DOL data</th>
<th>Federal DOL data</th>
<th>Other data source: (describe)</th>
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<td></td>
<td></td>
</tr>
<tr>
<td>(Moscow area) = 3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SW Idaho (Boise area) = 24</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>State</td>
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<tr>
<td>Nation</td>
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</table>

Provide (as appropriate) additional narrative as to the workforce needs that will be met by the proposed program.

All jobs in the United States requiring a law license entail passage of a state bar examination. Qualification to sit for a state bar examination, in turn, requires – in Idaho and nearly all other States – a Juris Doctor degree from an accredited law school. In addition to jobs requiring law licenses (“law license jobs”), many jobs either require or favor holders of a JD degree, even if those jobs do not require a law license; these are known as “J.D.-advantage jobs.”

Although the availability of law license jobs softened during the “Great Recession,” Idaho graduates were not as adversely affected as their national counterparts, and the prospects for law school graduates seems to have rebounded somewhat at both the national and state level. At the national level, data for law students graduating in 2014 – the most recent group for which reliable data is available – showed an overall employment rate of 86.7% 10 months after graduation, which reflected an increase of 2% over 2013. The overall employment rate for students graduating from the University of Idaho College of Law in 2014 was 90.24% (compared to the national rate of 86.7%), an increase of 1.4% over 2013. The U.S. Department of Labor’s Bureau of Labor Statistics currently projects that employment of lawyers nationwide will grow about 6% from 2014 to 2024, which is about as fast as the average for all occupations. The Idaho Department of Labor currently projects that employment of lawyers in Idaho will grow by about 4.3% over the period 2012-2022.

In addition to law license jobs, a J.D. degree benefits job seekers and job holders in many professional fields: business and entrepreneurship; human resources; public administration; teaching and educational administration; nonprofit entity management; social services; mediation and other forms of facilitated dispute resolution; military service; and other fields. National statistics indicate that as many as 30% of J.D. degree holders find careers outside the traditional practice, some of which require J.D. degrees, and others of which do not. These non-traditional jobs often offer decent pay and family-friendly working hours.

In short, College of Law graduates have solid job prospects at the state and national level. It bears emphasis, however, that the proposal presented in this document does not seek to increase the overall number of graduates from the College of Law. Rather, completion of the dual-location model will create an additional location where 1st year law students who are admitted to the College can spend their first year. Right now, all 1st year law students admitted to the College of Law must spend their first year at the Moscow campus. Under the proposal presented in this document, up to half of the
entering class would, instead, spend its first year at the Boise campus. Although we anticipate that approval of this proposal could modestly increase the size of the entering class (and thereby increase the number of eventual graduates), that is not the objective of the proposal. The objective, instead, is to give students the choice between two campuses, each of which offers differing settings and opportunities, including externships, part-time jobs, and networking opportunities. This is expected to facilitate Idahoans’ ability to obtain an affordable, high-quality, public legal education and to enhance our graduates’ ability to secure post-graduation employment.

b. Student need. What is the most likely source of students who will be expected to enroll (full-time, part-time, outreach, etc.)? Document student demand by providing information you have about student interest in the proposed program from inside and outside the institution. If a survey of students was used, please attach a copy of the survey instrument with a summary of results as Appendix A.

The University of Idaho’s College of Law offers its J.D. program only to full-time students, though its rules permit the admission of part-time students on a case-by-case basis. Historically, Idaho residents have accounted for about 55-65% of each entering class, and nonresidents have accounted for 35-45%. The College of Law expects to continue admitting residents and nonresidents in these proportions. The nonresident population is important because many nonresidents have family or other personal ties to Idaho. Moreover, nonresidents contribute to the quality of the law school because they bring a wider range of experiences and diversity of backgrounds than would exist in a class consisting exclusively of one State’s residents. Nonresidents also enhance the educational opportunities for College of Law graduates, not only by paying out-of-state tuition (which helps keep in-state tuition down) but also by spreading the reputation of the College of Law among lawyers and other professionals outside Idaho who then employ Idaho law graduates or refer cases in Idaho to them. Beyond those benefits, many nonresidents stay in Idaho after graduation from the College of Law and enrich the Idaho legal profession and contribute to the State in other ways. Their College of Law education trains them in Idaho law and acculturates them to the high standards of ethics and civility that are the hallmarks of the Idaho bar and the broader professional community of which the state bar is a part.

Beginning in 2007, the College of Law conducted extensive market research on the demand for, and impact of, expanding its course offerings in Boise and ultimately establishing a branch campus in Boise offering a full three-year J.D. program. The results of that research were described in, and attached to, the 2008 and 2012 proposals to the Board that resulted in approval, respectively, of a third-year law program and of a second-year law program in Boise. The College conducted another round of market research in 2015, the results of which are described below and are attached to this proposal as Appendix A. The 2015 market research is consistent with the past research. Both sets of research show that the dual-location model that this present proposal seeks to complete enables students to pursue a public legal education in the location that offers the greatest comparative advantage for them.

• Among all respondents surveyed in 2015 – a group that included current College of Law students, College of Law alums, prospective students, and “nonmatriculating” students (i.e., students who were admitted to the College of Law but who chose not to attend) – the highest percentage favored having Moscow remain the main campus of the law school, with an option for all students to enroll in Boise. Among
all respondents – as well as among prospective students and nonmatriculating 
students – Moscow’s greatest advantages over Boise are its small town feel, its 
location in the northern part of the State, and its connection to the main campus of 
the University of Idaho. (See Appendix A, Campus Location Survey Analysis (Sept. 
2015), at pp. 3, 10, 13, 14 (Fig. 1.11) & 16 (Fig. 1.15); Campus Location Survey – 
Supplemental Graphics (Oct. 2015), at 9 (Fig. 9); Factors of Matriculation & 
Geographic Analysis (Nov. 2015), at p. 4.)

The College of Law continues to build on the advantages of the Moscow campus. 
Specifically, it has established and continues to explore interdisciplinary course work and 
interdisciplinary research projects with other colleges on the main UI campus. Those 
interdisciplinary connections include law courses cross-listed with the American Indian 
Studies Department, and the College’s participation in the Water Resources Graduate 
Program, which offers a JD/MA and a JD/Ph.D. in law, water management, and water 
policy. The Moscow campus also does outreach to Northwest tribes in coordination with 
the UI’s Office of Tribal Relations, and offers law students externship placements with 
the Nez Perce and Coeur d’Alene Tribes. In addition, the Moscow campus operates the 
Main Street Legal Clinic, which represents clients in a wide variety of cases – including 
misdemeanor defense, family law, consumer protection, and landlord-tenant disputes – 
and is particularly well suited for students who may wish, after graduation, to enter a 
general practice in a rural location.

• Among all respondents surveyed in 2015, Boise emerged as the preferred location 
as a place to study law and to live and work. Among all respondents – as well as 
among prospective students and nonmatriculating students – Boise’s greatest 
advantages compared to Moscow are its internship/externship opportunities, its job 
market, its networking opportunities, and its metropolitan setting. (See Appendix A, 
Campus Location Survey Analysis (Sept. 2015), at pp. 3, 12 (Fig. 1.8); Campus 
Location Survey – Supplemental Graphics (Oct. 2015), at 8 (Fig. 8).)

The College of Law continues to build on the advantages of the Boise campus. In 2015, the 
College transitioned its externship director from part-time to full-time status to meet the 
student demand to participate in externships in the Treasure Valley. Those externships place 
students in public agencies such as the Idaho Attorney General’s Office, the Office of the 
Governor of Idaho, the Boise City Attorney’s Office, and the U.S. Attorney’s Office. 
Placements are also made in state and federal judges’ chambers. The Boise campus also 
gives students experiential learning opportunities through participation, as third-year 
students, in the Small Business Legal Clinic, many of whose clients are start-up businesses 
in the Treasure Valley, and the Economic Development Clinic, which enables students to 
advise Idaho counties, cities, tribes and non-governmental agencies with economic 
development-related issues.

In addition to the comparative advantages of Moscow and Boise, the 2015 research showed 
that the two top factors that prospective students weigh, when selecting a law school, are 
costs (tuition and fees) and location. (See Appendix A, Campus Location Survey Analysis 
(Sept. 2015), at p. 20.) The importance of these two factors – cost and location – reinforces 
the benefits to Idahoans of completing the dual-location model.

The 2015 market research shows student demand for each location. Almost 30% of the 
College’s current students and alums said that they would not have enrolled at the UI 
College of Law if it had been located exclusively in Boise. On the other hand, 24% of 
nonmatriculating students cited the Moscow location as the main reason that they did not
enroll at the College of Law. Moreover, 75% of the nonmatriculating students agreed that Boise would be a better place to study law than Moscow. Likewise, 75% of nonmatriculating students agreed, as a general (non-comparative) matter, that Boise is a moderately, very, or extremely appealing location for a law school campus. A similarly high number of prospective students – 71% – rated Boise as a moderately, very, or extremely appealing location for a law school. Among prospective students, Moscow was found moderately, very, or extremely appealing by 27%, and was considered a better place than Boise to study law by 24%. (See Appendix A, Campus Location Survey Analysis (Sept. 2015), at pp. 16 (Fig. 1.15) & 23 (Fig. 2.4); Campus Location Survey – Supplemental Graphics (Oct. 2015), at 7 (Fig. 7) & 10 (Figs. 10 & 11).) In short, although Boise enjoys the majority’s preference, Moscow will remain the location of choice for a significant minority, especially as it continues to offer students who matriculate there the option of transferring to the Boise campus as second- or third- year students to take advantage of externship and networking opportunities.

The dual-location model has particular value in addressing the needs of students of diverse backgrounds. The College’s Moscow campus has had success, for example, in attracting students from small, rural communities throughout Idaho and Washington, including many Latino/a students from eastern and central Washington; students from large urban settings, such as Los Angeles, who wish to study in a less hectic and crime-prone community; Native American students from the Northwest tribes; and students from Washington State University, which has a high percentage of students from diverse backgrounds. The Boise campus meets the needs of students in southern Idaho as well as northern Nevada, especially those who are place-bound by family ties, spousal employment, etc. Boise is the center of the State’s Latino/a population, and is thus a good location from which to recruit Latino/a students. A diverse student body, in turn, enriches the quality of the educational experience for all students, in part by preparing students for the practice of law in an increasingly diverse State and nation.

As the 2015 market research reaffirms, student demand for a program of public legal education that offers both rural and urban learning opportunities will remain strong, especially if it is coupled with a cost advantage. In 2015-2016, tuition at private law schools in the Northwest and Intermountain West (other than BYU) ranged from $29,043 to $44,220. Even at public law schools in this region, Idahoans would pay nonresident tuition ranging from $30,078 to $38,652. In contrast, the University of Idaho College of Law in 2015-2016 charged Idaho residents $17,230. Even our nonresident tuition level in 2015-2016 ($31,234) compares favorably to the tuition level in other States. Indeed, preLaw magazine named the UI College of Law a “Best Value Law School” in 2014. The benefit of a cost-effective legal education is realized not only by the students, but also by their eventual clients who will not have to pay fees leveraged upward by their attorneys’ high educational debts.

c. Economic Need: Describe how the proposed program will act to stimulate the state economy by advancing the field, providing research results, etc.

The College of Law directly serves the State’s economy through two clinical programs located at the Boise campus: the Small Business Legal Clinic, and the Economic Development Clinic. The Small Business Legal Clinic assists small and start-up businesses referred to the clinic by the Idaho Small Business Development Center. Clients include both for-profit and nonprofit companies in a variety of business areas. Students in the clinic perform legal services, such as preparing formation and organizational documents, employee agreements, and more. The Economic Development Clinic enables students to advise Idaho counties, cities, tribes and non-governmental agencies with economic
development-related issues typically arising in questions of land use law, administrative law, state and local government law, and environmental law.

The College of Law indirectly serves the State’s economy through its graduates. Those graduates facilitate commercial transactions by giving advice, drafting documents, negotiating agreements, and resolving disputes. Although television and movies dwell on the courtroom lawyer (for dramatic reasons), the day-to-day work of most lawyers today rarely involves trials. Indeed, many lawyers do not spend a majority of their time involved in lawsuits at all. Instead, they support commerce by counseling clients in connection with significant economic matters like buying a home, making a will, setting up a trust, starting a business, and hiring and paying employees. Lawyers also draft documents to ensure that these commercial transactions and any resulting commercial relationships are stable and secure. In addition, many lawyers devote significant time to advising clients on how to comply with the law governing their personal or business affairs. Many businesses require licenses and permits, and they need a lawyer’s help to get them and to comply with the web of regulatory law with which most businesses today must cope. Finally, more and more lawyers spend much time serving as mediators. All these activities by attorneys support the economy.

And this is just to describe the work of lawyers in the private sector. About 30% of the College of Law’s graduates get jobs in the public sector – for example, as clerks in judges’ chambers, as prosecutors in towns and counties throughout Idaho, or as attorneys in the state agencies. In these positions, our graduates become part of the legal infrastructure supporting Idaho’s economy.

d. Societal Need: Describe additional societal benefits and cultural benefits of the program.

The University of Idaho College of Law does outreach addressing the social needs of the State, the region, and the nation through its faculty, students, and graduates. Completion of the dual-location model will enhance the College’s ability to do this outreach.

Consistent with the University of Idaho’s land grant mission, College of Law faculty at the Moscow and Boise campus engage in service and outreach that enhance the performance of legal institutions. To cite some recent examples:

- Professor Elizabeth Brandt (Moscow) serves on the Idaho Supreme Court’s Child Protection Committee, and was part of a team that, in 2015, finished work on the 3rd edition of the Idaho Child Protection Manual, which is used by judges throughout the State.
- Professor Annemarie Bridy, Ph.D., (Boise) serves on the Idaho Technology Council’s Tech2Market Committee, whose mission is to strengthen research, development and commercialization activity in Idaho as measured by R&D funded, capital raised, jobs created or retained, and IP-based companies started. Dr. Bridy also recently gave a webinar for the Idaho State Board of Education in support of its statewide initiative to adopt Open Educational Resources (OER) in K-12 and post-secondary education.
- Professor Barb Lock (Boise) coordinates efforts to serve Idaho citizens by collaborating with BSU faculty in support of the Volunteer Income Tax Assistance (VITA) program.
- Professor Jerrold Long, Ph.D., (Moscow) has joined with Professor Brant Miller of the UI College of Education to extend the Confluence Project to schools in southern Idaho. The Confluence Project gives high school teachers and students a watershed science
curriculum that lets them do on-the-ground, experiential environmental and science learning. The Confluence Project’s expansion to southern Idaho has financial and technical support from the U.S. Geological Survey and Idaho Water Resources Research Institute.

- Professor Katherine Macfarlane (Moscow) has recently been appointed to the United States District of Idaho’s Advisory Committee on Local Rules. The committee advises the United States District Court for the District of Idaho on local rules of civil procedure.

- Professor Stephen Miller (Boise) served in 2014-2015 as a commissioner on the Boise City Planning & Zoning Commission.

- Professor Shaakirrah Sanders (Boise) has addressed current legal topics ranging from the 2nd Amendment to faith healing, to Justice Antonin Scalia’s impact on the U.S. Supreme Court, in print and broadcast media at the local and national level. Professor Sanders also recently hosted a public panel discussion of criminal justice reform, a panel that included U.S. Congressman Raúl Labrador.

College of Law students perform public service in three main ways. First, they participate in externships with public agencies in every branch of Idaho state government and in local public agencies. Second, they participate in one of the law school clinics, where they represent clients with legal needs under the supervision of licensed attorneys. Several of these clinics have been mentioned. They include the Main Street Legal Clinic, the Economic Development Clinic, the Tax Clinic, the Immigration Clinic, the Mediation Clinic, and the Small Business Legal Clinic. Third, to graduate, all students must perform 50 hours of pro bono legal services. They meet this requirement in a wide range of settings, including legal service organizations, government agencies, private firms (pro bono cases), nonprofits, and legislative offices.

Finally, the College of Law’s graduates also serve the public and individuals who need legal services but cannot afford them. Every Idaho lawyer must subscribe to the statutory oath or affirmation, solemnly recited before the Supreme Court, “to contribute time and resources to public service … and never [to] reject, for any considerations personal to myself, the cause of the defenseless or oppressed.” The College of Law believes that its graduates learn how to fulfill this oath by completing the College’s pro bono service requirements and serving the needy in our clinics and the general public in externships with public agencies. In any event, many graduate become leaders in their communities and in the profession because of their public service.

In addition, many of our students come from small, rural communities with the objective of returning to those communities to practice. This is important. As the title of a recent article in the American Bar Association Journal said, “In rural America, there are job opportunities and a need for lawyers.” (Lorelei Laird, ABA Journal, Oct. 1, 2014, http://www.abajournal.com/magazine/article/too_many_lawyers_not_here._in_rural_america_lawyers_are_few_and_far_between.) That is true in Idaho, where law school graduates are badly needed to: (1) serve as leaders in rural communities; (2) provide access to justice to the residents of those communities, and (3) support economic activity. Recent graduates are needed in these community partly because “Baby Boomer” attorneys are retiring. The College of Law supports these students through its Main Street Legal Clinic, and other opportunities, including externships in local agencies, at its Moscow campus. More importantly, the College offers an affordable legal education, which enables graduates to take jobs in rural communities at starting salaries that are typically lower than can be found in urban area but that are feasible given our graduates’ debt load.
Access to justice is not exclusively a concern for Idaho’s rural population. It is a significant concern for Idahoans of modest means. This was demonstrated by an Idaho Legal Needs Assessment prepared in 2013 for the College of Law by the University of Idaho Social Science Research Unit. The assessment rested on three means of data collection: a statewide telephone survey of Idaho residents; an Internet survey of Idaho judges, lawyers, court clerks, and victim advocates; and interviews of key stakeholders. Not surprisingly, the assessment showed that households with incomes at or below 200% of the federal poverty guidelines were significantly more likely than the population as a whole to have unmet legal needs, relating to matters such as landlord-tenant disputes, child custody, public services, and adult guardianship. For lawyers to provide affordable legal services to Idaho residents of modest means, the lawyers cannot graduate from law school saddled with student debts equivalent in size to a home mortgage. This makes the availability of an affordable public legal education a key component of addressing Idaho’s unmet legal needs. [link]

3. **Similar Programs.** Identify similar programs offered within Idaho and in the region by other in-state or bordering state colleges/universities.

<table>
<thead>
<tr>
<th>Institution Name</th>
<th>Degree name and Level</th>
<th>Program Name and brief description if warranted</th>
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<tbody>
<tr>
<td>Concordia University,</td>
<td>JD</td>
<td>Concordia University School of Law, Boise, ID</td>
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* – The University of Idaho has the exclusive statewide mission in public legal education.
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<th>Location</th>
<th>Degree</th>
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<td>Willamette University, Salem, OR</td>
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<td>Willamette University College of Law, Salem, OR</td>
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<td>Lewis and Clark College, Portland, OR</td>
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<td>Northwestern School of Law of Lewis and Clark College, Portland, OR</td>
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<td>Alexander Blewett III School of Law at the University of Montana, Missoula, MT</td>
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<td>Brigham Young University, Provo, UT</td>
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</tr>
<tr>
<td>University of Nevada, Las Vegas, NV</td>
<td>JD</td>
<td>William S. Boyd School of Law, Las Vegas, NV</td>
</tr>
</tbody>
</table>
4. **Justification for Duplication with another institution listed above.** (if applicable). If the proposed program is similar to another program offered by an Idaho public institution, provide a rationale as to why any resulting duplication is a net benefit to the state and its citizens. Describe why it is not feasible for existing programs at other institutions to fulfill the need for the proposed program.

Not applicable.

5. **Describe how this request supports the institution's vision and/or strategic plan.**

The University of Idaho is in the final stages of completing its strategic plan for 2016-2025. Because that plan is not yet complete, however, below we discuss the ways in which this proposal supports the UI's current strategic plan.

- **University of Idaho Strategic Plan Goal 1** (“Teaching and Learning – Enable Student Success in a Rapidly Changing World”)

This goal will be advanced at Objective A (“Build Adaptable, Integrative Curricula and Pedagogies”) through the development and delivery of complementary curricula at Moscow and Boise, with curricular and co-curricular offerings that build on the comparative advantages of the land-grant campus in Moscow and the metropolitan location in Boise.

- **University of Idaho Strategic Plan Goal 2** (“Scholarly and Creative Activity – Promote Excellence in Scholarship and Creative Activity to Enhance Life Today and Prepare Us for Tomorrow”)

Goal 2 will be advanced at Objective A (“Strengthen All Scholarly and Creative Activities Consistent with the University’s Strategic Missions and Signature Areas”) through the research and outreach, particularly in the field of business law and entrepreneurism, of faculty and upper-division students in Boise. Completing the dual-location model by establishing a full three-year branch program in Boise will enable the University carry out more effectively its Board-assigned statewide mission in legal education. In addition, Objective B (“Enable Faculty, Student, and Staff Engagement in Interdisciplinary Scholarship and Creative Activity) will be advanced through interactions between and among the University of Idaho’s Boise campus, the business-related concurrent degree programs at Boise State University – namely, the JD/Master of Accountancy and the JD/MBA – the business enterprises and nonprofit entities of southern Idaho, and the sources of interdisciplinary expertise residing at federal and state regulatory agencies in and near Boise.

- **University of Idaho Goal 3** (“Outreach and Engagement – Meet Society’s Critical Needs by Engaging in Mutually Beneficial Partnerships”)

Goal 3 will be especially advanced at Objective B (“Strengthen and Expand Mutually Beneficial Partnerships with Stakeholders in Idaho and Beyond”) through the University’s collaboration with the Idaho Supreme Court at the Idaho Law and Justice Learning Center, through concurrent degree programs offered with Boise State University, through cooperative projects undertaken with the Idaho’s legal and business communities, and through increased interaction with – and service provided by law faculty and students to – government agencies in and near Idaho’s capital city.

- **University of Idaho Goal 4** (“Community and Culture – Be a Purposeful, Ethical,
Vibrant, and Open Community”

Goal 4 will be advanced by enhancing access for, and inclusion of, diverse populations in legal education at a metropolitan location; by strengthening the viability and statewide relevance of the legal education program in Moscow through its connections to a complementary program in Boise; and by the enhancing the statewide visibility of the College of Law, which will benefit students in both Boise and Moscow who are in competition with graduates of other law schools in seeking and finding employment in and near Idaho’s major center of population, commerce, and government.

6. **Assurance of Quality.** Describe how the institution will ensure the quality of the program. Describe the institutional process of program review. Where appropriate, describe applicable specialized accreditation and explain why you do or do not plan to seek accreditation.

The College of Law is accredited by the American Bar Association and has received ABA approval (known as “acquiescence”), on separate occasions, for delivery of the second-year and the third-year curriculum in Boise. The expansion of the College’s curriculum in Boise to include first-year courses will likewise require ABA acquiescence. The ABA requires that resources for a branch campus be sufficient to assure ongoing compliance with ABA standards at both the branch and home campuses. Once approved, the first-year curriculum in Boise will be reviewed as part of the ABA’s annual and 7-year accreditation review. The College communicates regularly with the ABA and will formally seek whatever approval is necessary as soon as the State Board authorizes the first-year curriculum and funding for delivery of the curriculum is identified.

7. In accordance with Board Policy III.G., an external peer review is required for any new doctoral program. Attach the peer review report as Appendix B.

Not applicable.

8. **Teacher Education/Certification Programs** All Educator Preparation programs that lead to certification require review and recommendation from the Professional Standards Commission (PSC) and approval from the Board.

Will this program lead to certification?
Yes_____ No__ X____

If yes, on what date was the Program Approval for Certification Request submitted to the Professional Standards Commission?

9. **Five-Year Plan:** Is the proposed program on your institution’s approved 5-year plan? Indicate below.

Yes ____ X No ____

Proposed programs submitted to OSBE that are not on the five-year plan must respond to the following questions and meet at least one criterion listed below.

a. Describe why the proposed program is not on the institution’s five year plan.

When did consideration of and planning for the new program begin?
b. **Describe the immediacy of need for the program.** What would be lost were the institution to delay the proposal for implementation of the new program until it fits within the five-year planning cycle? What would be gained by an early consideration?

**Criteria.** As appropriate, discuss the following:

i. How important is the program in meeting your institution’s regional or statewide program responsibilities? Describe whether the proposed program is in response to a specific industry need or workforce opportunity.

ii. Explain if the proposed program is reliant on external funding (grants, donations) with a deadline for acceptance of funding.

iii. Is there a contractual obligation or partnership opportunity to justify the program?

iv. Is the program request or program change in response to accreditation requirements or recommendations?

v. Is the program request or program change in response to recent changes to teacher certification/endorsement requirements?

### Curriculum, Intended Learning Outcomes, and Assessment Plan

10. **Curriculum for the proposed program and its delivery.**

   a. **Summary of requirements.** Provide a summary of program requirements using the following table.

   | Credit hours in required courses offered by the department(s) offering the program. | 46 |
   | Credit hours in required courses offered by other departments: | |
   | Credit hours in institutional general education curriculum | 0 |
   | Credit hours in free electives | 44* |
   | Total credit hours required for degree program: | 90 |

   * – As discussed below in 10.b, besides earning at least 90 credit hours, students must satisfy other requirements to get the J.D.; those other requirements will carry some of the credit hours included in the 44 credit hours categorized in the table above as “free electives.”

   b. **Additional requirements.** Describe additional requirements such as comprehensive examination, senior thesis or other capstone experience, practicum, or internship, some of which may carry credit hours included in the list above.

   - **Upper-Division Writing Requirement** – After their first year of law school and before graduation, students must complete a major research and writing project under faculty supervision.

   - **Pro Bono Service Requirement** – Students entering the College in and after fall 2015 must, before graduation, perform at least 50 hours of law-related pro bono service without monetary compensation, academic credit, or other tangible benefit for work performance.
• *Professionalism Training* – Students entering the College in and after fall 2014 and thereafter must complete a professionalism education program by participating in educational opportunities addressing the following topics: (1) cultural competencies; (2) civility and appropriate professional behaviors before courts, tribunals, and in other professional settings; (3) law practice management; (4) bias and thought processes; and (5) other topics related to the development of a student’s professional conduct and identity.

• *Experiential Course Work* – Student entering the College in and after fall 2016 must take one or more experiential courses totaling at least six credit hours. Experiential courses must be a simulation course, a law clinic, or a field placement.


a. **Intended Learning Outcomes.** List the Intended Learning Outcomes for the proposed program, using learner-centered statements that indicate what will students know, be able to do, and value or appreciate as a result of completing the program.

**LEARNING OUTCOME 1 – KNOWLEDGE OF LAW AND LEGAL INSTITUTIONS**
Graduates will demonstrate knowledge and understanding of substantive and procedural law and legal institutions.

**LEARNING OUTCOME 2 – LEGAL ANALYSIS AND REASONING**
Graduates will demonstrate the capacity to engage in sophisticated legal reasoning and analysis.

**LEARNING OUTCOME 3 – ORAL AND WRITTEN COMMUNICATION SKILLS**
Graduates will be proficient at communicating complex legal arguments, reasoning, and analysis, both in writing and in oral communication.

**LEARNING OUTCOME 4 – PROBLEM SOLVING**
Graduates will recognize that multiple different potential resolutions to a dispute exist, including avoiding disputes before they begin.

**LEARNING OUTCOME 5 – PROFESSIONALISM, ETHICS, AND VALUES**
Graduates will understand their professional and ethical obligations to their clients, the courts and the bar, and the public.

12. Assessment plans

a. **Assessment Process.** Describe the assessment process that will be used to evaluate how well students are achieving the intended learning outcomes of the program.

The College of Law is engaged in ongoing development of an institutional assessment plan that accords with all relevant requirements, including those of the Board (Policy Section III.X), the University of Idaho, the Northwest Commission on Colleges and Universities (Standards 4 and 5), and the American Bar Association (Standards 302, 303, 314, and 315).

In brief, the College is required to follow a five-step assessment process:

1. The College is now in the process of revising its College-level learning outcomes. The
most recent set of learning outcomes is quoted above in 11.a.

2. Each learning outcome will be translated into more specific learning competencies.

3. The College’s curriculum will then be mapped to identify the courses in which each competency is introduced or practiced, or in which students develop the required level of proficiency. Curriculum mapping will also identify courses in which each competency is assessed.

4. The College will develop an annual assessment cycle, in which the College (a) collects data on selected competencies; (b) analyzes the data that has been collected the year before on other selected competencies; and (c) discusses what changes are to be made in light of the most recently completed analysis.

5. The College implements the agreed-upon changes, which will be subject to further, systematic assessment.

b. Closing the loop. How will you ensure that the assessment findings will be used to improve the program?

The University of Idaho College of Law has a standing Curriculum Committee that works with the College’s administration to design program assessment. Assessment processes and policies are reviewed by the College of Law faculty. Changes in the curriculum and assessment processes and policies are implemented by the associate for faculty affairs. The associate dean for faculty affairs requires all faculty members to submit course syllabi that identify course-level learning outcomes. Faculty members also complete annual performance evaluations in which they report the formative and summative assessment tools they use in their courses to assess student achievement of the course-level learning outcomes.

c. Measures used. What direct and indirect measures will be used to assess student learning?

The College of Law uses traditional measures such as quizzes and exams; essays and research papers; simulation exercises; peer assessment; and self-reflection papers and other exercises. The College also evaluates bar-exam-passage rates and student performance in capstone courses, such as the College’s legal clinics and externships, where supervisors can assess a range of student skills and knowledge. The College will also explore other assessment measures such as reviewing student portfolios; taking exit surveys of graduates; and surveying attorneys, judges, and alums.

d. Timing and frequency. When will assessment activities occur and at what frequency?

As described above in 12.a, step 4 of the program-assessment process, as prescribed by the University of Idaho, entails an annual cycle in which every year the College (a) collects data on selected competencies; (b) analyzes the data that has been collected the year before on other selected competencies; and (c) discusses what changes are to be made, in the upcoming year, in light of the most recently completed analysis. Of course, assessment of student learning within courses occurs during and at the end of each semester.

Enrollments and Graduates

13. Existing similar programs at Idaho Public Institutions. Using the chart below, provide
enrollments and numbers of graduates for similar existing programs at your institution and other Idaho public institutions.

### Existing Similar Programs: Historical enrollments and graduate numbers

<table>
<thead>
<tr>
<th>Institution and Program Name</th>
<th>Fall Headcount Enrollment in Program</th>
<th>Number of Graduates From Program (Summer, Fall, Spring)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>FY13</td>
<td>FY14</td>
</tr>
<tr>
<td>BSU</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>ISU</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>UI</td>
<td>340</td>
<td>323</td>
</tr>
<tr>
<td>LCSC</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

14. **Projections for proposed program**: Using the chart below, provide projected enrollments and number of graduates for the proposed program:

### Proposed Program: Projected Enrollments and Graduates First Five Years

**Program Name: Juris Doctor**

<table>
<thead>
<tr>
<th>Projected Fall Term Headcount Enrollment in Program</th>
<th>Projected Annual Number of Graduates From Program</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY18 (first year)</td>
<td>FY18 (first year)</td>
</tr>
<tr>
<td>FY19</td>
<td>FY19</td>
</tr>
<tr>
<td>FY20</td>
<td>FY20</td>
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<td>FY21</td>
<td>FY21</td>
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<tr>
<td>FY22</td>
<td>FY22</td>
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<tr>
<td>FY23</td>
<td>FY23</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>FY18 (first year)</th>
<th>FY19</th>
<th>FY20</th>
<th>FY21</th>
<th>FY22</th>
<th>FY23</th>
</tr>
</thead>
<tbody>
<tr>
<td>310</td>
<td>320</td>
<td>330</td>
<td>330</td>
<td>340</td>
<td>340</td>
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<td>95</td>
<td>90</td>
<td>115</td>
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</tbody>
</table>

15. **Describe the methodology for determining enrollment and graduation projections.**

Refer to information provided in Question #2 “Need” above. What is the capacity for the program? Describe your recruitment efforts? How did you determine the projected numbers above?

The above projected numbers are based first on the current size of our first year class, 104 students. Of that 104, a small number will be academically dismissed or transfer to other institutions. We are projecting that class to melt into a second and third year class of 95 at
minimum which will go on to be the first graduating class in FY18. The class entering in Moscow in fall 2016 will be at minimum 100 students and will melt into 90 students graduating in FY19. Adding the first year curriculum in Boise in FY18 is expected to bring a modest increase in students from pent up demand and interest. The initial increase will be as a result of courses in Boise, but rely heavily on Moscow to serve the majority of new students. The FY18 headcount number plans for 125 students between Moscow and Boise in the College’s first year classes, which takes the total to 310 in the first year. It is expected then that retention will be higher with the first year class in Boise as more residents stay in the area for their legal education. As the College enrolls slightly larger first year classes the total enrollment will increase to around 340 students, approximately 120 students on average entering each year with a small amount withdrawing, transferring or being academic dismissed.

The above numbers are based on College of Law statewide enrollment projections. The physical space capacity in Boise is limited by the largest classroom in which first year courses can be taught without needing to add a second section as well as appropriately sized legal writing and research sections. The largest classroom holds approximately 60 students. The College intends to enroll less than 60 students in Boise the first year of operation, but is expecting that overtime we will easily enroll 60 students in Boise and around the same in Moscow.

The College of Law participates in national and regional recruiting efforts through fairs, digital marketing, social media and more. Our Enrollment Marketing and Recruitment Plan, revised annually, serves as the guiding document in our recruitment efforts.

16. Minimum Enrollments and Graduates. Have you determined minimums that the program will need to meet in order to be continued? What are those minimums, what is the logical basis for those minimums, what is the time frame, and what is the action that would result?

While it is not expected that the College will face a minimums issue with the launch of the first year in Boise, the main factors in that analysis are on the teaching load and capacity side of our plans. With one legal writing and research professor in Boise, the College expects that the section size will comparable to those in Moscow (though not exactly the same). Financially, a minimum group of 25 to 35 students would warrant such a dedicated faculty resource and the sections of the rest of the first year curriculum. If the enrollment grows in Boise to closer to 60 students the College would need to explore a second legal writing and research professor to accommodate, but the rest of the curriculum offerings would not be impacted. In summary, at minimum we need 25 to 35 students to enroll in the first year in Boise and beyond that the only action needed is the threshold for offering a second section of legal writing and research.
Resources Required for Implementation – fiscal impact and budget

17. Physical Resources.

a. Existing resources. Describe equipment, space, laboratory instruments, computer(s), or other physical equipment presently available to support the successful implementation of the program.

The College will offer the first-year law curriculum proposed in this document at the Idaho Law and Justice Learning Center (ILJLC), where it currently offers the second- and third-year curricula. The ILJLC can accommodate the additional students, along with the additional personnel needed to support the expansion.

The ILJLC opened in 2015, in the building that long served as the Ada County Courthouse and also housed the Idaho Legislature while the capitol was renovated. This is an ideal location for a public law school – being located on the Idaho Capitol Mall, between the capitol and the Idaho Supreme Court buildings, and right across the street from the Idaho State Bar headquarters.

The College collaborated with the Idaho Supreme Court in creating the ILJLC. It is a multipurpose facility that houses:

- The College of Law in Boise
- The Idaho State Law Library
- The Idaho Supreme Court’s judicial education offices and training facilities; and
- Public service outreach and education space.

Space is allocated in the ILJLC as follows:

- College of Law: 16,927 net sq. ft., excluding common areas
- Library: 7,655 net sq. ft., excluding common areas
- Idaho Supreme Court: 3,354 net sq. ft.

The College of Law uses the first three levels of the ILJLC. More specifically:

- **First Level.** The first level of the ILJLC has space for (a) the College’s clinical programs, (b) student organizations, (c) the main student reading room/study area, (d) two seminar classrooms for about 22 students each, (e) one conference room for videoconference and training uses, and (f) a student lounge. Other uses on the first level include offices for IT support and general storage.

- **Second Level.** The second level primarily houses the law library, with space for (a) a central circulation and control desk, (b) the library stacks, and (c) offices for the librarian and library staff. In addition, the Supreme Court has an office and training space on the second level. The library space also has computer terminals for use by students and the public.

- **Third Level.** The third level of the ILJLC holds (a) the Administration Suite (including a reception area and a conference room with videoconference equipment), (b) faculty and staff offices, (c) an employee lounge, and (d) two large classrooms for approximately 67 students each. The two large classrooms make use of the space formerly used by the Idaho legislature for the House and Senate Chambers while the
State Capitol was being remodeled and expanded. The ILJLC has state-of-the-art instructional technology. The technology allows classes that are taught live at the Moscow campus to be beamed to students in Boise, and vice-versa. During these “distance ed” classes, students and faculty at each campus can interact with students at the other campus. This technology also permits student-faculty conferences between the two campuses; faculty meetings between faculty members in each location; and student-to-student communication on collaborative co-curricular projects (such as moot court competitions) between the two campuses. The University has information-technology staff at the ILJLC to support the technology, as well as additional IT staff at the University’s Idaho Water Center in Boise.

b. Impact of new program. What will be the impact on existing programs of increased use of physical resources by the proposed program? How will the increased use be accommodated?

The College of Law does not anticipate any significant impact as a result of expanding the curriculum at the Boise campus to include the first-year curriculum. That is because this expansion was contemplated (and hoped for) when the College planned the ILJLC.

c. Needed resources. List equipment, space, laboratory instruments, etc., that must be obtained to support the proposed program. Enter the costs of those physical resources into the budget sheet.

The College of Law has asked the central university administration to request a legislative appropriation to fund a technology upgrade to the largest classroom in the Menard Law Building in Moscow, which is Room 104. Updating the technology in Room 104 will facilitate law-school-wide events in which students and staff at both the Moscow and Boise campuses participate. For example, each school year begins with a convocation ceremony to welcome new students and welcome back returning students. Room 104 is the Moscow classroom used for these law-school-wide events.

18. Library resources

a. Existing resources and impact of new program. Evaluate library resources, including personnel and space. Are they adequate for the operation of the present program? Will there be an impact on existing programs of increased library usage caused by the proposed program? For off-campus programs, clearly indicate how the library resources are to be provided.

With a modest addition of new library material, the existing library resources, including personnel and space, at the ILJLC will meet the needs of the first-year students who will be taking courses at the Boise campus under the present proposal.

As discussed above in 17.a, the College currently supports and maintains a law library at the ILJLC that meets the needs of the College’s teaching, scholarship, research, and service programs for a full three-year course of study. The College meets the needs of the Boise location through its management of the State Law Library located on the 2nd floor of the ILJLC. The law library is a collaboration between College of Law and the Idaho Supreme Court in which the College of Law has taken over management of the State Law Library and then supplemented the State Law Library with an academic collection in support of the Boise
location and curriculum. The College has also funded substantial updates to the practitioner and public collections.

The Boise Law Library collection currently has about 30,000 volumes and volume equivalents. In addition, selected federal, state, and Idaho archival materials are located in the basement of the Idaho Supreme Court Building. The Boise Law Library has four computer terminals with public access to WESTLAW Next, and access to all of the databases currently subscribed to by the College of Law, including HeinOnline, the CCH Internet Research Network, selected BNA Reporters, RIA Checkpoint for tax research, the Making of Modern Law, and the U.S. Congressional Serial Set, among others.

The library needs of 1st-year law students will not be exactly the same as those of existing 2nd and 3rd year students. Accordingly, the College has budgeted an additional $4,000 to purchase monographs, loose leafs, and other materials to support the 1st year curriculum in Boise, and the College believes that the existing library space at the ILJLC can accommodate the addition of these materials and these students.

The Boise Law Library hours of operation are 8:00 a.m. to 5:00 p.m., and the collection is open to the public. Students currently have 24/7 access to the collection through their electronic swipe cards.

The Boise Law Library staff consists of the following:

- 1 full-time associate law librarian
- 1 full-time JD librarian who provides reference and research assistance
- 1 full-time assistant librarian employed by the State
- 1 full-time staff person employed by the State, who also handles the budget for the library

The two State of Idaho employees are managed by the College in accordance with the Memorandum of Understanding between the College and the Idaho Supreme Court.

When materials needed by students, faculty, or staff are not available in Boise, the Boise Law Library can request the materials directly from the University of Idaho Main Library and the College of Law Library in Moscow. The Boise Law Library can also request interlibrary loans. The Law Library staff in Moscow would also be available to students, faculty, and staff in Boise for reference assistance by telephone, email, or Skype (or equivalent) access.

b. Needed resources

What new library resources will be required to ensure successful implementation of the program? Enter the costs of those library resources into the budget sheet.

As stated above in 18.a, the University has budgeted an additional $4,000 to buy monographs, loose leafs, and other materials for the first-year curriculum at the Boise campus. The Boise Law Library has enough space for this additional material and the additional students.

19. Personnel resources

a. Needed resources

Give an overview of the personnel resources that will be needed
to implement the program. How many additional sections of existing courses will be needed? Referring to the list of new courses to be created, what instructional capacity will be needed to offer the necessary number of sections?

Currently, at the Moscow campus the College of Law offers two sections of all first-year (“1L”) courses except for the first-year Legal Research and Writing (“LRW”) course, of which six sections are offered:

<table>
<thead>
<tr>
<th>REQUIRED COURSES, 1L YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Course Title</strong></td>
</tr>
<tr>
<td><strong>1L Fall Semester</strong></td>
</tr>
<tr>
<td>Civil Procedure I</td>
</tr>
<tr>
<td>Contracts</td>
</tr>
<tr>
<td>Property</td>
</tr>
<tr>
<td>Torts</td>
</tr>
<tr>
<td>Legal Research and Writing</td>
</tr>
<tr>
<td><strong>1L Spring Semester</strong></td>
</tr>
<tr>
<td>Civil Procedure II</td>
</tr>
<tr>
<td>Contracts/Sales</td>
</tr>
<tr>
<td>Constitutional Law I</td>
</tr>
<tr>
<td>Criminal Law</td>
</tr>
<tr>
<td>Legal Research and Writing</td>
</tr>
<tr>
<td>Legal Research (starting Fall '17)</td>
</tr>
</tbody>
</table>

The current proposal seeks, in effect, to “split” this first-year curriculum into two halves, so that one section of each of the 1L courses except LRW will “move” to the Boise campus. As for LRW, two or three of its six sections will “move” to Boise; the precise number depends on the size of the first-year class admitted to the Boise campus:

<table>
<thead>
<tr>
<th>REQUIRED COURSES, 1L YEAR</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Course Title</strong></td>
</tr>
<tr>
<td><strong>1L Fall Semester</strong></td>
</tr>
<tr>
<td>Civil Procedure I (2 credits)</td>
</tr>
<tr>
<td>Contracts (2 credits)</td>
</tr>
<tr>
<td>Property (4 credits)</td>
</tr>
<tr>
<td>Torts (4 credits)</td>
</tr>
<tr>
<td>Legal Research and Writing (0 credits)</td>
</tr>
<tr>
<td><strong>1L Spring Semester</strong></td>
</tr>
<tr>
<td>Civil Procedure II (3 credits)</td>
</tr>
<tr>
<td>Contracts/Sales (3 credits)</td>
</tr>
<tr>
<td>Constitutional Law I (3 credits)</td>
</tr>
<tr>
<td>Criminal Law (3 credits)</td>
</tr>
<tr>
<td>Legal Research and Writing (5 credits)</td>
</tr>
</tbody>
</table>
REQUIRED COURSES, 1L YEAR

<table>
<thead>
<tr>
<th>Course</th>
<th>Location</th>
</tr>
</thead>
<tbody>
<tr>
<td>Legal Research (starting Fall '17) (1 credit)</td>
<td>To Be Determined</td>
</tr>
</tbody>
</table>

Under this arrangement, no “additional sections” of the existing first-year courses will be needed. It is possible, however, that eventually the College might have to create additional sections of some existing upper-level courses. But the College has no current plan to do so.

Along with “moving” half of the sections of the first-year law courses from Moscow to Boise, the College of Law will have three full-time faculty positions relocated from the Moscow campus to the Boise campus. (As discussed below in 12.d, the College of Law also seeks a legislative appropriation to hire two additional, full-time faculty members for the Boise campus, one to teach the first-year LRW course, the other to teach other courses.)

Other, additional personnel needed to support the expansion of the Boise curriculum are described below in 12.d.

b. Existing resources. Describe the existing instructional, support, and administrative resources that can be brought to bear to support the successful implementation of the program.

**Instructional personnel:** The College of Law currently has 11 faculty members who work full-time for the UI College of Law at the Boise campus:

- Lee Dillion, Associate Dean for Boise
- Katie Ball, Externship Director
- Annemarie Bridy, Professor of Law
- Wendy Couture, Associate Professor of Law
- Stacy Etheridge, Associate Law Librarian
- Michael Greenlee, Associate Law Librarian
- Sarah Haan, Associate Professor of Law
- Barb Lock, Associate Clinical Professor
- Stephen Miller, Associate Professor of Law
- John Rumel, Associate Professor of Law
- Shaakirrah Sanders, Associate Professor of Law

This list includes two faculty members – Associate Dean Dillion and Associate Law Librarian Greenlee – who devote part of their time to instruction but most of their time to administration; and one other faculty member, Associate Law Librarian Etheridge, who currently has no instructional responsibilities. Please note that Associate Law Librarians Greenlee and Etheridge were included in the library staff listed above in 18.a.

In addition to the existing personnel listed above, three full-time faculty positions are being
relocated from the Moscow campus to the Boise campus to support an expanded curriculum in Boise.

Besides the full-time personnel, the College of Law employs about 15-20 adjunct professors (formally known as “temporary, part-time lecturers”) to teach single courses in Boise during the academic year and in the summer. Many of these adjunct professors have been teaching for the College for many years and are practicing attorneys or judges who bring valuable experience to the classroom. The adjunct professors, however, teach only upper-level courses (to second- and third-year law students); they will not teach any of the first-year law courses.

Finally, some classes taught live in Moscow are offered to Boise students by videoconference link. These “distance-ed” courses, however, account for a very small portion of the curriculum currently offered in Boise. Furthermore, all of the first-year law courses proposed to be offered at the Boise campus will be taught live at that campus by full-time members of the faculty.

Support personnel: Support personnel at the ILJLC include:

- Michelle Bartlett, Director of Career Development
- Rebekah Cudé, Director of Student Affairs for Boise
- Elaine Kempton, Clinical Services Coordinator
- Neil Luther, Development Assistant
- Rowland Marshall, IT and Classroom Media Specialist
- Terri Muse, Assistant Dean for External Relations

Besides these personnel, who are located at the ILJLC, the College works with the University administration at the Idaho Water Center in Boise to offer all the normal student services, including:

- Computer Lab
- Disability Support Services
- Graduation and Commencement
- Health Services
- Housing for Students (apartments, etc.)
- Recreation Facilities
- Textbook Orders
- Transportation Options
- Transcript Request Form
- Vandal Card (student identification card)

Moreover, IT personnel at the Idaho Water Center support the IT needs of the ILJLC.

Administrative Personnel: Administrative personnel at the ILJLC include:
Lee Dillion, Associate Dean for Boise (listed above among instructional personnel)
Michael Greenlee, Associate Law Librarian
Rachel Martinez, Faculty Assistant

c. **Impact on existing programs.** What will be the impact on existing programs of increased use of existing personnel resources by the proposed program? How will quality and productivity of existing programs be maintained?

With the Board’s approval and under its supervision, the University of Idaho College of Law has expanded the J.D. curriculum in Boise incrementally. In 2001, the College began offering law students in their final (6th) semester a “semester-in-practice” program in Boise, in which they could earn academic credit for working full-time in semester-long externships. In 2004, the College expanded its externship offerings in Boise. In 2010, the College began offering students the opportunity to spend their entire third year (5th and 6th semesters) in Boise. In 2014, the College expanded the Boise J.D. curriculum to include second-year law courses. In 2015, the College moved the second- and third-year curricula from the Idaho Water Center to the ILJLC.

Throughout this 15-year process of gradual expansion, the College has planned carefully and in coordination with central university administration and all stakeholders. Most recently, this planning process included in-depth study of the instructional resources and other resources needed to support the expansion proposed in this document. Each incremental expansion has required not only the Board’s approval but also the approval (formally known as “acquiescence”) of the College’s accrediting agency, the ABA. To get acquiescence, the College first undergoes an in-depth review that includes a site visit by a “fact finder,” and within a certain period after getting acquiescence, the College has a follow up site visit by a fact finder. The ABA will grant acquiescence “only if the law school demonstrates that the [proposed change] will not detract from the law school’s ability to remain in compliance with the [Accreditation] Standards.” ABA Standard 105(b).

An additional ABA Standard applies to the current proposal to begin offering first-year law curriculum at the Boise campus. The proposal triggers ABA Standard 106, because if granted it would result in the entire J.D. curriculum being offered at a “separate location” by a “branch campus”:

**Standard 106. SEPARATE LOCATIONS AND BRANCH CAMPUSES**

(a) A law school that offers a separate location shall provide:

1. Full-time faculty adequate to support the curriculum offered at the separate location and who are reasonably accessible to students at the separate location;
2. Library resources and staff that are adequate to support the curriculum offered at the separate location and that are reasonably accessible to the student body at the separate location;
3. Academic advising, career services and other student support services that are adequate to support the student body at the separate location and that are reasonably equivalent to such services offered to similarly situated students at the law school’s main location;
4. Access to co-curricular activities and other educational benefits adequate to support the
student body at the separate location; and

(5) Physical facilities and technological capacities that are adequate to support the curriculum and the student body at the separate location.

(b) In addition to the requirements of section (a), a branch campus must:

(1) Establish a reliable plan that demonstrates that the branch campus is reasonably likely to be in substantial compliance with each of the Standards within three years of the effective date of acquiescence as required by Rule 30;

(2) Comply with instructional requirements and responsibilities as required by Standard 403(a) and Standard 404(a); and

(3) Offer reasonably comparable opportunities for access to the law school’s program of legal education, courses taught by full-time faculty, student services, co-curricular programs, and other educational benefits as required by Standard 311. [Note: Standard 311, “Academic Program and Academic Calendar,” prescribes a minimum of credit-hours that a law school must require for graduation with a J.D. degree; the minimum and maximum time periods in which the course of study for the J.D. must be completed; and a limit on the amount of coursework in which a J.D. candidate can be enrolled at any one time.]

Besides the pre-acquiescence and post-acquiescence reviews, the ABA conducts top-to-bottom accreditation reviews every seven years. The College of Law is next due for a top-to-bottom accreditation review in 2018-2019.

In short, processes are in place – besides those of the College, the University, and the Board – to ensure that expansion of the curriculum at the Boise campus does not adversely affect the existing J.D. program. Indeed, the University believes that the expansion will significantly enhance the program.

d. Needed resources. List the new personnel that must be hired to support the proposed program. Enter the costs of those personnel resources into the budget sheet.

As of the current date, the College of Law has asked the central university administration to seek a legislative appropriation of $732,000 in ongoing funding and $174,000 in onetime funding for FY18. This funding is requested to enhance the quality of service and educational experience for students and faculty by funding the following additional personnel:

1. Associate Director of Admissions in Boise. This person would serve the admissions needs of the College statewide through planning and executing campus visits for prospective students, workshops for prospective students on how to apply to law school, other events for prospective students, community outreach, outreach to college pre-law advisors, and recruitment and marketing. This person would report to the Director of Admissions, who is at the Moscow campus.

2. Director of Academic Success in Boise. This person would address the needs of the first-year law students in Boise by holding workshops on topics such as effective study strategies, advising, academic planning, bar-exam advising, and more.

3. Faculty member to teach Legal Writing and Research in Boise.

4. Faculty member to teach non-legal writing courses.
5. Funding for Teaching Assistants to support the Legal Research and Writing course in Boise.

6. Director of Student Affairs in Moscow. This position would serve as the accessible student affairs staff member who handles the orientation program for first-year law students, the Professionalism Education Program workshops required of all students, student-organization advising, student support needs, and more. This person would report to the Associate Dean of Students, who is on the Moscow campus.

7. Faculty assistant in Boise.

8. Two IT Specialists (1 at each campus).

If additional state funding is not available, the College has determined that the first-year effort is feasible with existing resources (teaching, staff, students, and facilities) by making internal reallocations to fund the following:

1. Associate Director of Admissions - Boise
2. Director of Academic Success – Boise
3. LRW Faculty Member – Boise

To meet ABA requirements, the College must hire a full-time Associate Director of Admissions in Boise. Besides recruiting students for the Boise campus, this position advises first-year students. The person hired for the position will start work in August 2016.

The Director of Academic Success in Boise will support the academic success of first-year students and allow the College to have enough resources to support the academic achievement and bar passage of all students, particularly students in the bottom quartile of the entering class, who are a concern of the faculty and the ABA.

The LRW Faculty Member will teach one section of LRW based on enrollment and could possibly be filled internally or with a visiting professor.

20. Revenue Sources

a) Reallocation of funds: If funding is to come from the reallocation of existing state appropriated funds, please indicate the sources of the reallocation. What impact will the reallocation of funds in support of the program have on other programs?

There will be no reallocation of existing state appropriated funds.

b) New appropriation. If an above Maintenance of Current Operations (MCO) appropriation is required to fund the program, indicate when the institution plans to include the program in the legislative budget request.

Not applicable.

c) Non-ongoing sources:
   i. If the funding is to come from one-time sources such as a donation, indicate the sources of other funding. What are the institution’s plans for sustaining the program when that funding ends?
ii. Describe the federal grant, other grant(s), special fee arrangements, or contract(s) that will be valid to fund the program. What does the institution propose to do with the program upon termination of those funds?

Not applicable.

d) **Student Fees:**

i. If the proposed program is intended to levy any institutional local fees, explain how doing so meets the requirements of Board Policy V.R., 3.b.

The University of Idaho charges a professional fee to students enrolled in the J.D. program in accordance with Board Policy V.R. The University will not charge any additional or separate fees in connection with the expansion of the J.D. curriculum in Boise to include first-year law curriculum.

ii. Provide estimated cost to students and total revenue for self-support programs and for professional fees and other fees anticipated to be requested under Board Policy V.R., if applicable.

Not applicable.

21. Using the **budget template** provided by the Office of the State Board of Education, provide the following information:

- Indicate all resources needed including the planned FTE enrollment, projected revenues, and estimated expenditures for the first **four** fiscal years of the program.

- Include reallocation of existing personnel and resources and anticipated or requested new resources.

- Second and third year estimates should be in constant dollars.

- Amounts should reconcile subsequent pages where budget explanations are provided.

- If the program is contract related, explain the fiscal sources and the year-to-year commitment from the contracting agency(ies) or party(ies).

- Provide an explanation of the fiscal impact of any proposed discontinuance to include impacts to faculty (i.e., salary savings, re-assignments).

**Note from the Office of the Provost and Executive Vice President:**

This proposal’s funding is currently under consideration via the University Budget and Finance Committee review process. Depending on the recommendations and final decision of the President, the budget could be altered. A narrative description of two approaches to funding is provided until the final decision is made.