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**AMERICAN BAR ASSOCIATION
ACCREDITATION COMMITTEE MEETING
APPLICATION FOR PROVISIONAL ABA APPROVAL**



**LINCOLN MEMORIAL UNIVERSITY
THURSDAY, SEPTEMBER 29, 2011
1:30 p.m.**

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B E F O R E

CHAIR: Diane F. Bosse, Esq.

VICE-CHAIR: Charles W. Goldner, Jr.

MEMBERS: Jonathan R. Alger
Thomas C. Galligan, Jr. (Recused)
Art Gaudio
Peter G. Glenn
Robert Glidden
Peter A. Joy
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Pamela Lysaght
Ada Meloy, Esq.
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Dr. Charles R. Nash
Scott B. Pagel
Frederic White
Rebecca Hanner White

ASSOCIATE

GENERAL COUNSEL: Stephanie Giggets

CONSULTANT: Hulett H. Askew

DEPUTY CONSULTANT: Scott Norberg

ASSOCIATE CONSULTANT: Camille deJorna

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ASSISTANT CONSULTANT: Becky Stretch
ABA STAFF: Shirley Gonzalez
EXECUTIVE ASSISTANT: Cathy A. Schrage
PARALEGAL: Marsha Factor

LINCOLN MEMORIAL UNIVERSITY

REPRESENTATIVES APPEARING:

Dr. James Dawson, President
Kim Bontrager, Chief Financial Officer
Syd Beckman, Vice President,
Dean and Professor of Law
Gordon Russell, Associate Dean, Director of
Law Library, and Professor of Law
April Meldrum, Associate Dean for Academics
Terence Cook, Associate Dean for Admissions
Dr. Clayton Hess, Vice President
for Academic Affairs

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**AMERICAN BAR ASSOCIATION
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APPLICATION FOR PROVISIONAL ABA APPROVAL
LINCOLN MEMORIAL UNIVERSITY
THURSDAY, SEPTEMBER 29, 2011**

TRANSCRIPT OF PROCEEDINGS of the American Bar Association Accreditation Committee Meeting held at the Ritz-Carlton Hotel, 160 East Pearson Street at Water Tower Place, Chicago, Illinois, before Valerie Allard, a Certified Court Reporter.

1 **ACCREDITATION COMMITTEE MEETING**

2 **LINCOLN MEMORIAL UNIVERSITY**

3 **THURSDAY, SEPTEMBER 29, 2011**

4 **1:30 p.m.**

5

6 **MS. BOSSE:** We will now go on the record.

7 Good afternoon and welcome to the

8 Accreditation Committee meeting. I am Diane Bosse.

9 I'm chair of the Accreditation Committee. This

10 hearing is to determine the application by Lincoln

11 Memorial University Duncan School of Law for

12 Provisional Approval under Standard 102 and Rules 4,

13 5 and 6 of the Rules of Procedure. The

14 Accreditation Committee will be making its

15 recommendation to the council at the council's

16 December 2011.

17 Dean, I'm going to ask you and your

18 colleagues to introduce yourselves and then we'll go

19 around the room and introduce ourselves to you.

20 **DEAN BECKMAN:** My name is Syd Beckman.

21 I'm the Vice President, Dean and Professor of Law at

22 Lincoln Memorial University Duncan School of Law.

23 **MS. BONTRAGER:** I'm Kim Bontrager. I am

24 the Vice President and Chief Financial Officer for

25 Lincoln Memorial.

1 **ASSOCIATE DEAN COOK:** My name is Terence
2 Cook. I serve as Associate Dean for Admissions.

3 **DR. HESS:** My name is Clayton Hess, and
4 I'm the Vice President for Academic Affairs at
5 Lincoln Memorial University.

6 **ASSOCIATE DEAN RUSSELL:** Gordon Russell.
7 I'm the Associate Dean and Director of the Law
8 Library at Duncan School of Law.

9 **ASSOCIATE DEAN MELDRUM:** My name is April
10 Meldrum, and I'm the Associate Dean for Academics at
11 the Duncan School of Law.

12 **DR. DAWSON:** I'm Jim Dawson, the President
13 of Lincoln Memorial University.

14 **MS. BOSSE:** Welcome. And we'll start with
15 Dean Miles.

16 **DEAN MILES:** I'm Veryl Miles. I'm the
17 Dean of the Catholic University of America, Columbus
18 School of Law.

19 **PROFESSOR LYSAGHT:** Good afternoon. I'm
20 Pamela Lysaght. I'm on the faculty at University of
21 Detroit Mercy School of Law.

22 **PROFESSOR JOY:** Good afternoon. I'm Peter
23 Joy. I'm on the faculty of Washington University in
24 St. Louis.

25 **ASSOCIATE DEAN PAGEL:** Hi. I'm Scott

1 Pagel. I'm the Director of the Law Library and
2 Professor at the George Washington University.

3 **DEAN WHITE:** Good afternoon. I'm Frederic
4 White, Dean of Texas Wesleyan University School of
5 Law.

6 **MR. CLARK:** JR Clark, ABA staff and
7 Professional Legal Education.

8 **MS. FACTOR:** I'm Marsha Factor, ABA staff.

9 **MS. STRETCH:** Becky Stretch, Assistant
10 Consultant.

11 Ms. SCHRAGE: I'm Cathy Schrage, ABA staff.

12 **MS. BOSSE:** Diane Bosse. I'm Chair the
13 Board of Law Examiners in New York, and I practice
14 law in Buffalo.

15 **MR. ASKEW:** I'm Bucky Askew, ABA staff.

16 **MR. NORBERG:** Scott Norberg, Deputy
17 Consultant.

18 **PROFESSOR GOLDNER:** Chuck Goldner. I'm a
19 member of the faculty at University of Arkansas at
20 Little Rock School of Law.

21 **MR. GLENN:** Peter Glenn. I practice law
22 in Reading, Pennsylvania.

23 MS. de JORNA: I'm Camille de Jorna. I'm the
24 Associate Consultant.

25 **DEAN GAUDIO:** Hi. I'm Art Gaudio. I'm the

1 Dean at Western New England School of Law.

2 **ASSOCIATE DEAN LUKINGBEAL:** I'm Anne

3 Lukingbeal, Associate Dean and Dean of Students at
4 Cornell Law School.

5 **MS. MELOY:** I'm Ada Meloy. I'm the

6 General Counsel at the American Council on Education
7 in Washington.

8 **DR. GLIDDEN:** Hi. I'm Bob Glidden. I'm a
9 public member of the Committee, and I am President
10 Emeritus, Ohio University.

11 **DR. NASH:** Hi. I'm Charles Nash. I'm Vice
12 Chancellor for Academic and Student Affairs with the
13 University of Alabama System.

14 **DEAN WHITE:** I'm Rebecca White. I'm the
15 Dean at the University of Georgia School of Law.

16 **MS. GIGGETS:** I'm Stephanie Giggetts. I'm
17 Associate General Counsel at the ABA.

18 **MS. GONZALEZ:** Shirley Gonzalez, ABA
19 staff.

20 **MS. BOSSE:** I'd like the record to reflect
21 that President Tom Galligan has recused himself from
22 these proceedings.

23 Dean, the ABA staff has advised you that
24 we have allowed one hour for this appearance and you
25 have been afforded 15 minutes to divide between

1 opening and closing statements. The rest of the
2 time has been set aside for questioning by the
3 committee members. If we need to go beyond the hour
4 to address any issues, we certainly will. Ms.
5 Schrage will serve as our timekeeper. We now invite
6 your remarks.

7 **DEAN BECKMAN:** Thank you, Madam Chair.
8 And I'd like to reserve five minutes for opening and
9 ten minutes for a closing, if that's acceptable.

10 **MS. BOSSE:** Yes.

11 **DEAN BECKMAN:** Madam Chair and Members of
12 the Committee and the ABA staff, I want to thank you
13 for permitting us to present here today. I also
14 want to thank the ABA staff. Throughout this process
15 they have been incredibly helpful. And I have to
16 say, without their responsiveness and helpfulness,
17 the stress level would have been much higher than it
18 already is. They've been wonderful.

19 I also want to say that the team that we
20 had, the Site team was tremendous. It was lead by
21 Susan Burley and her team. We couldn't have asked
22 for a better Site team beginning with the minute she
23 contacted us through the completion of the report.
24 She was fantastic. Everybody was. You made this as
25 smooth as possible.

1 I want to begin by sharing a story with
2 you. Before joining the Academy full time, I was in
3 a family law trial lawyer in Texas. And I have to
4 tell you that I do remember my days as a young
5 lawyer. I remember the days when I was nervous,
6 like I am now. I remember the days that I walked
7 into a courtroom and I wondered if I was prepared.
8 I was apprehensive. I remember those days vividly.
9 What I don't remember is how long it's been since I
10 felt that way.

11 You know, I practiced law for almost 15
12 years as a trial lawyer. And for those of you who
13 are familiar with Texas -- I was a family law trial
14 lawyer. So if you're familiar with Texas, you know
15 that we try lots of lawsuits to conclusion. And we
16 are the only state in the Union that let's juries
17 decide who gets the children. So it was an
18 interesting practice. And over those years you get,
19 you know, comfortable and proficient.

20 But I share this with you because I want
21 you to know that those feelings have returned
22 tenfold as I sit here today. I have questioned my
23 preparation, and I've questioned what we've done,
24 and I've questioned my abilities at this hearing to
25 present an accurate picture of our law school. Over

1 the past weeks leading up to this day, I have
2 wondered why I have questioned so much, and then it
3 kind of hit me last night. At 3:30 this morning my
4 associate dean, Dean Meldrum sent me an email. And
5 as you can imagine, we've been getting lots of
6 sleep. So she sends me this email and she says,
7 have you ever represented 190 people at once -- our
8 student body -- to which I replied, no. I said,
9 have you ever gone before a hearing and had a jury,
10 each of which could ask you questions at any time,
11 you couldn't object, and you weren't permitted to
12 conduct a voir dire. She replied, no, and she was
13 glad she was second chair. So here we are.

14 What the characteristics of this process
15 that, to me, is somewhat sterile is that each of you
16 has not had the opportunities to meet our students,
17 to talk to our faculty, to observe our staff or view
18 our facilities. You rely upon the written word and
19 try to make sense out of what we've submitted, and
20 what the Site Team has reported, and all of our
21 many, many updates. Therefore, in an attempt to
22 bring a little bit of flavor to our school, I
23 brought just a few photos.

24 The first photograph is the outside of the
25 front of our building. And this building is

1 historical. It was built in 1848, originally it was
2 the Tennessee School for the Deaf. It served as a
3 hospital during the Civil War. And it's come full
4 circle as it's now a school again. I realized in
5 the middle of the night last night that I did this
6 wrong. I realized that I shouldn't have brought
7 pictures just of our current facility but, rather, I
8 should have brought pictures of where it was when we
9 took it over because that would really give you a
10 flavor of what we've been through. And if any of
11 you has ever remodeled an old building, let me tell
12 you that they didn't tell me when I took this job
13 that I would become an expert in construction work.

14 This is from our classrooms. It is -- we
15 call it Room 101. It's a 78-person classroom with a
16 great deal of technology. And for those of you who
17 may not be able to see it, let me just explain that
18 we have monitors throughout. With the exception of
19 the courtroom, we don't use protectors. We use flat
20 screen TVs. We position them so that everybody can
21 see them. All of our students have laptops because
22 we issue laptops to our students. We have these
23 big plastic things hanging up there and people
24 always wonder what those are. They're parabolic
25 receptors, because we capture every classroom

1 experience so that students can watch it later. And
2 that's what is reflected in this photograph.

3 This is another classroom. It's a tiered
4 classroom -- and I'm not sure the photograph does
5 justice to that -- but we have microphones for each
6 student because it's a larger classroom. It seats
7 90. And again, monitors so that they can see what's
8 going on. It was important to us when we started
9 this that we create a facility that tried to make it
10 easy for students, and so that's why we decided to
11 class capture everything.

12 This is just a seminar room. We call it
13 the round room not because the room is round, it's
14 because of the table; but it was designed to be very
15 collaborative so that everyone could face each
16 other, and you didn't have to turnaround to look at
17 a monitor. You could see a monitor wherever you
18 were.

19 You can't see it from this direction right
20 here, but there's a microphone that drops in the
21 middle so all the audio is captured by the students.
22 One camera captures -- it's back here -- it's off of
23 the shot that captures the instructor. And the
24 instructor has full control if they want to move it
25 or whatever. So that's just an example of one of

1 our various rooms.

2 Just a couple more. This is a study room.
3 And the significance of the study room is, our study
4 rooms are designed to be collaborative. They're the
5 only rooms in the building that have dry erase
6 boards because the students, obviously, like to draw
7 all over the dry erase board. We don't do that in
8 classrooms because everything is captured and to
9 capture that, you can only do it with a panel shot.
10 We want digital captures, so we use digital boards.
11 But students can tie into this screen and
12 collaborate whether it's to do an outline or
13 whatever they do, they can collaborate.

14 Some of the rooms are also setup so that
15 we can login, watch, record what goes on in the
16 room. So if you were doing a skills exercise, say
17 mediation, and you wanted to go into the room, you
18 could do it and you could talk to the students and
19 they can talk back to you. So that's some of the
20 design, but we've tried to create a collaborative
21 environment.

22 And lastly, I will show you what, to me,
23 is really our flagship room, and it's our courtroom.
24 A lot of blood, sweat and tears went into the design
25 and, ultimately, build out of this courtroom. It

1 has a rake because up in the back -- it's hard to
2 see from this, but it's sort of an ADA compliant
3 rake so you can go up to the back. It's got more
4 technology than I have time to explain, but we're
5 really proud of it.

6 And most recently, the Tennessee Supreme
7 Court -- the entire Court -- sat in our courtroom,
8 held court for a docket day one half of the day.
9 And this is what they're setting up for, so that's
10 when this picture was taken. These are the lawyers
11 that are about to argue before the Supreme County on
12 a death penalty case.

13 And so we were really excited that they
14 held court there. They had some really interesting
15 cases. That evening, lawyers, people from the
16 community could come in and observe. And it was
17 just a wonderful day. And we believe that they will
18 do that at least once a year moving forward. So
19 we're excited about our courtroom.

20 So I wanted to give you a flavor of what
21 we have and what we're about. And with that, Madam
22 Chair, fire away.

23 **MS. BOSSE:** Thank you. Thank you very
24 much, Dean. Vice Dean Peter Joy will commence the
25 questioning.

1 **VICE DEAN JOY:** Thank you. Dean Beckman,
2 I wanted to explain a little bit about this because
3 that might help us get through the hearing in a more
4 efficient way.

5 I'll be asking questions of two types.
6 Some will be just some information that we need to
7 get in the record because this is being recorded and
8 it goes to the council. And they'll expect me to
9 ask questions about certain things where the answer
10 will be obvious and you know that I know the answer,
11 but I need to get it in the record.

12 **DEAN BECKMAN:** Sure.

13 **VICE DEAN JOY:** And then there'll be
14 questions where, based on all the information that I
15 have looked at and that other members of the
16 committee have looked at, we want more information
17 than what we have. And even though they were many
18 volumes sent and things have been revised in some
19 areas, it'll be necessary for us to go through that.

20 **DEAN BECKMAN:** Sure.

21 **VICE DEAN JOY:** So I just wanted you to
22 know, if you're wondering with an obvious answer
23 kind of question why I'm asking it, it's because I
24 want to make as thorough a record as possible.

25 **DEAN BECKMAN:** Okay. Yes, sir.

1 **VICE DEAN JOY:** I'm going to start with
2 talking about the Feasibility Study and the Reliable
3 Plan to come into full compliance with the standards
4 and to become a fully accredited law school. And
5 the reason I'm starting there is, I think it's fair
6 to say the world has changed a lot since the
7 original Feasibility Study was done.

8 **DEAN BECKMAN:** Yes, sir.

9 **VICE DEAN JOY:** And I'll be directing my
10 questions to you, though it'll be up to you to
11 decide if there's someone else who might better be
12 able to answer the question.

13 **DEAN BECKMAN:** Yes, sir.

14 **VICE DEAN JOY:** All right. So to begin
15 with, in terms of the Feasibility Study, one of the
16 reasons for starting the law school was a projection
17 of a need for more legal services that are free or
18 low cost. Do I have that right?

19 **DEAN BECKMAN:** Yes.

20 **VICE DEAN JOY:** Okay. And part of the
21 rationale, as I understand it, is the law school's
22 mandatory pro bono requirement. The belief is that
23 (a), it will help meet some of the unmet legal needs
24 for people who can't afford to hire lawyers; but,
25 second, that after that experience when students go

1 into practice, they will hopefully continue to
2 provide free or lower-cost legal services; is that
3 right?

4 **DEAN BECKMAN:** That's correct.

5 **VICE DEAN JOY:** And in that regard, have
6 you taken a look since the original Feasibility
7 Study about legal needs in the state of Tennessee
8 and the need for more lawyers to meet those needs?
9 Have you done any further investigation into that?

10 **DEAN BECKMAN:** I would respond this way:
11 In a formal respect, no; but let me answer your
12 question, if I may, somewhat anecdotally.

13 We, as a law school -- both members of the
14 faculty and students and staff -- in fact, have
15 become and are continuing to become more and more
16 involved in the community. So as part of that, for
17 example, we work with folks in Legal Aid of East
18 Tennessee, for example. And the director of that
19 program, who also sits on our advisory board,
20 frequently talks about the unmet needs of his
21 particular entity.

22 And the problem, of course, is that -- as
23 you mentioned -- the world has changed. And his
24 organization which faces regular budget cuts and
25 just faced another one. He had to layoff, I think a

1 couple of weeks ago, seven staff people. When I say
2 "staff," that includes lawyers. I use that term
3 broadly. And so they can't meet the needs of the
4 people just in Knoxville, Tennessee. Now, his
5 position actually is broader than Knoxville; but
6 they can't meet the needs there, there are so many
7 unmet needs.

8 And one of the things that we're working
9 with him on is partnering so that, ultimately,
10 through not only our externship program, but through
11 other opportunities for our students to come out and
12 work with him so that he can harness our person
13 power, if you will, to help him a bit with some of
14 those unmet needs.

15 Tennessee has, for example, a provision in
16 the rules that students, after they've completed 50
17 percent of their legal education, can practice under
18 the supervision of an attorney. And so we want to
19 develop those kinds of partnerships to help. And
20 that's just an anecdotal example, but it's a pretty
21 good example because there's so many people that
22 approach just that one body.

23 **VICE DEAN JOY:** Okay. And sticking with
24 legal needs, the Feasibility Study also predicted a
25 need for more lawyers in Tennessee based on

1 projected population growth, increased government
2 regulation, retirement of lawyers, out-casing,
3 production of new lawyers, and a prediction in
4 rising GNP in the state going out to 2020, and there
5 being a shortage of lawyers in Tennessee.

6 Have you reevaluated those projections
7 over the last two years?

8 **DEAN BECKMAN:** Again I'll respond,
9 although not necessarily in a formal sense. We
10 pretty regularly review literature that impacts each
11 of the areas you've discussed and have found that
12 although -- I won't kid you -- the current, I guess
13 the current view in the country is, you know,
14 there's too many lawyers and too many law schools
15 and that sort of thing, but that's pretty much a
16 global perspective. And what you don't see is the
17 people every day that do, in fact, have those needs.

18 And I would say that all of our
19 experiences are colored by our past. And I was a
20 family lawyer. And I have to tell you that in that
21 law school in East Tennessee that there probably
22 isn't a week, maybe a couple of weeks that go by,
23 where I don't get a phone call from somebody --
24 maybe it neighbors, somebody from church -- somebody
25 that has a need in that area. And I'm not

1 practicing law there, you know. There's a huge
2 need. And it's people from all walks of life that
3 don't necessarily have a lot of money. So, yes, I'd
4 say again anecdotally, that need is there.

5 **VICE DEAN JOY:** And I'm talking about the
6 need by clients that can afford to pay lawyers, you
7 know. So I just want, you know, that to be, you
8 know, kind of clear.

9 And I know, at least at the time that
10 materials were sent, you had just hired a director
11 of your career services program at the time. And I
12 don't know if the director of the career services
13 has discussed with you the range of job
14 opportunities he or she's expecting for your
15 students.

16 **DEAN BECKMAN:** He has. And, of course,
17 it's varied. And so what he has found is in certain
18 sectors, there seems to be growth; in other sectors,
19 there does not seem to be growth. So I'd say it
20 changes, you know. And what he's finding is in
21 going out -- because he's very active in the
22 community, and he meets with lawyers and people in
23 organizations that hopefully need lawyers -- and
24 he'll find areas where there is more of a need, and
25 then there's areas where there's not. So I'd say in

1 some areas it's shrinking; in others, it's growing.

2 He tracks, by the way, everything in great
3 detail. So as he looks for opportunities for JD
4 students and provides those opportunities and helps
5 students get those opportunities, we keep very
6 detailed records on what those opportunities are,
7 whether it's students going out and interviewing,
8 whether it's just internships or externships or
9 clerkships, we keep great records.

10 And, you know, we'll small. We're
11 competing with a school that's well-established.
12 We're new. And yet, we have some successes. And
13 let me share just one of those successes, if I may.
14 We had a student that had an opportunity to clerk
15 for the Tennessee Supreme Court. She has been
16 offered and accepted a job post-graduation as a
17 clerk for the Tennessee Supreme Court. I know it's
18 just anecdotal, but I think it speaks highly of our
19 efforts and the opportunities.

20 **VICE DEAN JOY:** In the career services
21 office, what's the staffing? I understand that
22 there's a director. And I'm talking about
23 professional staffing, not say secretarial staffing.
24 But how many career counselors do you have?

25 **DEAN BECKMAN:** Right now, we have one, and

1 we have budgeted for another that we're in the
2 process of seeking to hire. That's in the approved
3 budget that I think you all have, that budget
4 reflects that.

5 We've also found that -- one of the ways
6 that we work is fairly synergistically and what I
7 mean by that is, we've also hired an externship
8 director. And he's working with our career service
9 because they kind of go hand-in-hand. So he's
10 working with our externship director as well.

11 **VICE DEAN JOY:** All right. So do I have
12 it correct, there's a director and a counselor or is
13 there just, at the present time, a director?

14 **DEAN BECKMAN:** Yes, sir. At the present
15 time there's only the director.

16 **VICE DEAN JOY:** So just the director?

17 **DEAN BECKMAN:** Yes, sir.

18 **VICE DEAN JOY:** And I know you mentioned
19 about the budget. And I want to make sure I
20 understand an aspect of the budget correctly,
21 because it appears when one looks at career services
22 -- and it shows basically going out until the end of
23 the projected budget, which is the 2013-14 year --
24 the numbers, even out there, are 32,448. So I'm
25 assuming that, like the personnel amounts are up in

1 the personnel category, right?

2 **DEAN BECKMAN:** Yes.

3 **VICE DEAN JOY:** I just want to get out.

4 **DEAN BECKMAN:** Yes, that's true also.

5 **VICE DEAN JOY:** I just wanted to be sure
6 that I've established that.

7 Also in the original pro forma budget
8 there was projected positive cash flow beginning in
9 2011-12, and then a cumulative operating positive
10 cash flow in 2012-13. And this was based on 100 new
11 full-time students and 60 new part-time students
12 starting in the 2010-11 year, and that's been
13 revised.

14 And I just wanted you to talk about now,
15 you know -- and I have all the numbers in terms of
16 the enrollment -- but what the plan is in terms of
17 University support for the law school, how long the
18 University -- you may not be the right person to
19 answer that -- but how long the University plans
20 continuing to support the law school while you're
21 still in your build-up phase?

22 **DEAN BECKMAN:** Sure. I think I can answer
23 part of it and then I'll defer to President Dawson.

24 What we have seen is this: My experience has
25 been -- because I do know that the world's changing

1 and has since we've started this and continues to --
2 the support that the University has provided to the
3 law school has been unwieldy. When we need to make
4 changes, whatever those changes maybe, they support
5 those changes without question. And it's been
6 phenomenal support. And I know that that's not
7 always the case with some institutions.

8 But they are so committed to us and what
9 we're doing that as we make changes -- a pro forma
10 is a plan. And each year you look at where you've
11 come, what you've done, what worked, what didn't
12 work, and you revise that. And we revise pro formas
13 every year. And we do projections every year;
14 sometimes the projections worked, sometimes the
15 projections do not work.

16 Lincoln Memorial University is in a unique
17 position. We are very fiscally sound. We've been
18 very, very blessed. We have added programs, as you
19 all know, tremendous programs. We have the medical
20 school. We've expanded our nursing program. And so
21 fiscally, we are in such a strong position that when
22 things change and we don't meet our numbers, they
23 look at it and say, okay, well, you know, what do we
24 need to do and where are we headed.

25 So although I can't answer the question of

1 how long they would support us -- and I'll turn that
2 over to Dr. Dawson in a moment -- I will tell you
3 that from the minute we started until today, the
4 support has been unbelievable. And there's nothing
5 that I've been told that indicates that that would
6 waver in the least moving forward. With that said,
7 Dr. Dawson may want to add to that.

8 **DR. DAWSON:** Yes, let me respond on that.
9 First of all, I don't want to give the Dean a blank
10 check, but we are committed to the program and we
11 intended to support until it has successfully
12 reached all of its goals and we have a positive cash
13 flow. If that takes ten years, we're prepared to
14 provide that for ten years.

15 We believe that the law school is an
16 integral part of our mission. We've talked about
17 the ways that we serve people in our region. Because
18 we're committed to the Appalachian area, we
19 recognize that there's tremendous need for the
20 services that graduates of our program can provide.

21 And so it is not simply that we feel
22 committed to the law school, we also feel committed
23 to the region and the ways that our graduates can
24 serve that region. And for that reason, we have
25 every intention to provide adequate support until

1 the law school is fully successful and operating
2 with a surplus.

3 **VICE DEAN JOY:** Thank you. And I want to
4 talk a little bit about the budgets, both the
5 University's budget and the law school budget. And I
6 realize that the Site Team's report had numbers that
7 were incorrect, and you've supplemented. So I'm
8 working off of the information that you've
9 supplemented. In fact, I would like to kind of
10 confirm a couple things.

11 I'm assuming that in terms of the
12 University's operating income and expenditures going
13 out to the forecasted year ending 6/30/13, that that
14 includes the law school, both in terms of revenue
15 and expenses.

16 **DEAN BECKMAN:** That is correct.

17 **MS. BONTRAGER:** That is correct.

18 **VICE DEAN JOY:** Okay. And at the end of
19 the 6/30/11 fiscal year, you know, June 30, I'm
20 assuming, but maybe I shouldn't, that you've closed
21 the books now on that year?

22 **MS. BONTRAGER:** We have closed the books.
23 We are in the middle of our audit, so they are not
24 final; but the results are a positive ending for the
25 school year for the University.

1 **VICE DEAN JOY:** Do you have the unaudited
2 results with you?

3 **MS. BONTRAGER:** No, I do not, but we can
4 get that for you.

5 **VICE DEAN JOY:** All right. That would be
6 great.

7 **MS. BONTRAGER:** Absolutely.

8 **VICE DEAN JOY:** So if you could make a
9 note of that.

10 And I just want to go through some of the
11 growth that the University's experienced. You know,
12 I note that it was projected between the fiscal year
13 ending June 30 of 2010, the budget for ending June
14 30, '11, projected a 35 percent increase in the
15 tuition and fees. I don't know if you're prepared
16 to comment on how close you think came to that
17 target or if you, you know.

18 **MS. BONTRAGER:** If I'm understanding your
19 question correctly, you're wanting to know if we met
20 our budget for the 2011 fiscal year?

21 **VICE DEAN JOY:** That's correct, the
22 University.

23 **MS. BONTRAGER:** From a revenue
24 perspective, absolutely. We actually exceeded it
25 somewhat, not a huge amount, but we did exceed our

1 revenue.

2 **VICE DEAN JOY:** In that same period, it
3 projected something less than a 10 percent increase
4 in operating expenses. And I'm wondering, were you
5 pretty much on target there? Did you find the
6 expenses --

7 **MS. BONTRAGER:** We were on target and,
8 actually, we're better than we were expecting in
9 some of our areas from the operating expenses. So we
10 did very well on the operating expenses perspective
11 as well.

12 **VICE DEAN JOY:** Okay. And then the
13 forecast for the next fiscal year projected a 13
14 percent growth, so that tuition and fees would be
15 88,900-some-thousand.

16 **MS. BONTRAGER:** Uh-hum.

17 **VICE DEAN JOY:** And is that forecast still
18 the same?

19 **MS. BONTRAGER:** Yes. We are finalizing
20 our forecasts right now. We've just gotten our
21 census numbers fairly stable for the fall semester,
22 but we have no reason to believe that we wouldn't
23 reach that, that target.

24 **VICE DEAN JOY:** And the final year
25 forecast, the one ending June 30, '13, that shows a

1 little bit less than a 9 percent increase from the
2 prior year. And is the thinking of the University,
3 that that's still inline?

4 **MS. BONTRAGER:** Yes, we have no reason to
5 believe that we wouldn't meet that.

6 **VICE DEAN JOY:** Okay. When I did the math
7 -- and, you know, I was not a math major, that's why
8 I went to law school probably -- but I see from the
9 year ending June 30, '09 to the forecast ending for
10 June 30, '13, I see 115 percent cumulative, you
11 know, growth on revenue and fees. And I see in terms
12 of expenses, a 55 percent increase in expenses.

13 Could you explain what you've been doing
14 to try to maximize the revenue while containing the
15 expenses so that you can have this, you know,
16 optimistic view of the future?

17 **MS. BONTRAGER:** The biggest reason why
18 we've got that jump year over year -- and it doesn't
19 -- and you'll see that that jump slows down as you
20 go forward -- is we've got medical schools. We've
21 got programs that are still in their infancy and
22 don't have a full complement of cohorts of students.
23 And in those particular programs, the faculty is
24 fairly stable. We don't need to add that many
25 faculty to add year four.

1 Take the medical school. The medical
2 school, just this past year, had it's fourth. It's
3 now fully complement of all four years, but you
4 didn't need to add-in an individual faculty member
5 for each one of those classes. You were able to
6 utilize -- you had some leverage within the faculty
7 to teach some of those classes, so the expenses
8 aren't quite as high as the revenue is when you
9 bring on those additional students.

10 And we've got several programs that are in
11 that particular situation. We've got a physician's
12 assistant's program that's just now getting fully
13 loaded with all the students, the medical school is
14 now completely full, and the law school is adding
15 students as well.

16 **VICE DEAN JOY:** Okay. Another question
17 that is financially-related but not directly budget,
18 so you might want to pass this on to someone else.

19 The Department of Education information
20 concerning the school default rates for FY'07, '08,
21 and '09, show the default rate on an upward climb.
22 So that for FY2009, for a master's degrees or
23 doctorate degrees, it shows a 5.1 student loan
24 default rate.

25 I'm wondering what the University is doing

1 to try to taper that back down -- because it's
2 almost doubled since '07, and we don't have the
3 numbers yet for '10 or '11 -- but I question you
4 about what you're doing on the default rate?

5 **DEAN BECKMAN:** I would, as you said, it's
6 not related to the budget. From the University's
7 perspective, I can certainly tell you the kinds of
8 things we do anticipatorily from the law school; but
9 to address your question specifically, Dr. Hess,
10 could you respond to that a little bit.

11 **DR. HESS:** Well, I know that there are a
12 lot of things being looked at to help with that, and
13 we've begun to do more counseling with students as
14 they both come in and as they leave.

15 Graduate students are particularly
16 challenging because most of our graduate education
17 students are professionals who are out the field,
18 and so it is primarily student loans that they use
19 to finance their education. So as those programs
20 grow there is an increasing number of students who
21 are more reliant upon student loans, and so the
22 challenge for the University expands.

23 But we have expanded personnel and
24 financial aid in other areas to address that. We
25 have implemented some new policies and some new

1 procedures to conduct our exit interviews and so
2 forth and tracking of those students. So we are
3 taking efforts, and we're very conscious of the need
4 to help those students.

5 I would also point out, though, that we
6 serve a very needy population. While our costs have
7 risen, our costs are substantially below the
8 national average for private schools, and especially
9 for private schools of our ranking. And so we try
10 very hard to provide financial assistance to
11 students and to help students who might need more
12 assistance and who might be more challenged. So I
13 think part of the University's mission is to serve
14 an underserved population. And as we expand that,
15 we will, of course, have to be more intentional, and
16 more effort to track those students and to assist
17 those students.

18 But I also think what you mentioned
19 earlier of placing them, and that is that there are
20 reduced numbers, even those people who are in
21 professional positions. A lot of school systems in
22 our areas are releasing teachers, and a lot of our
23 students are finding it more difficult to get that
24 job that they want right out of college. Although
25 we are experiencing quite a success in assisting

1 students, it's more of a challenge than it has been
2 in the past for some of our students.

3 **DR. DAWSON:** Let me add to that, if I
4 could. We did recognize the need to add staff in
5 Financial Aid and have done that, and part of the
6 responsibility there is to follow-up with those
7 students who are in default. I think Clayton has
8 identified one of the major issues and that is, in
9 our region, we've had a tremendous reduction in
10 workforce in the education area and that has
11 directly impacted students who have completed their
12 degrees with us.

13 **VICE DEAN JOY:** And on the issue of
14 financial aid -- but not University-wide, but law
15 school -- I note that some new scholarship and
16 financial aid policies have been adopted. And I
17 think it would be good to just sort of get on the
18 record what you project in terms of growth in
19 scholarship and financial aid that is school
20 supported, not through the Federal Guaranteed
21 Student Loan Program.

22 **DEAN BECKMAN:** Sure. Let me answer that,
23 if I could, by just giving a little bit of
24 background because I think the background helps
25 illustrate the picture that we came from.

1 LMU has been very successful with its
2 graduate programs. And as a result, when the law
3 school began, we were not permitted to offer a
4 discount rate. And as I said earlier, with regard
5 to me certainly, that our decisions and experience
6 are colored by our past -- so true -- it is for the
7 University. So we weren't going to offer a discount
8 rate. And then finally, over time and many
9 discussions, that policy was changed. And so now,
10 we've been authorized to offer a 15 percent discount
11 rate, and that may change; it may go up at some
12 point, but that's where we are right now and that's
13 what's been authorized.

14 One of the things that we did poorly --
15 and there's lots of them, and we hope we won't go
16 though them -- but one of the things we did poorly
17 was, we didn't use that aggressively enough this
18 last year. We got it late, and we didn't use it
19 aggressively enough. And now, moving forward, we
20 will use it much more aggressively. So we've
21 authorized a 15 percent discount rate.

22 In addition to that, obviously, we're
23 cognizant of other kinds of scholarships. And the
24 ones that we've received from external sources are
25 certainly not significant; but I don't want to

1 minimize the fact that you have to start somewhere,
2 and we have done that and we continue to do that.

3 In fact, I got an email -- just literally
4 while I've been here in Chicago -- from one of the
5 Supreme Court Justices about a new scholarship
6 that's being started for Duncan students. And so
7 we're out there and we're promoting that and trying
8 to encourage that. So from two different levels,
9 not government supported, they exist and, hopefully,
10 those will certainly increase in the future.

11 And also, if you look at private
12 institutions across the country -- and I mean
13 specifically ABA accredited institutions -- our
14 tuition, which I wouldn't tell you is low for a
15 private school, but we are in the bottom five in the
16 country of private schools, ABA accredited schools,
17 assuming that BYU's double status is one and not
18 two, otherwise, we're the bottom six.

19 So one of the things that we're cognizant
20 of is our tuition rate. And our tuition rate is,
21 relatively speaking, relative to other ABA
22 accredited private schools, competitive.

23 **VICE DEAN JOY:** Okay. And, Dean, I just
24 have to say this for the record, the Accreditation
25 Committee intentionally does not compare any ABA

1 school to any other ABA schools.

2 **DEAN BECKMAN:** Sure. Sure.

3 **VICE DEAN JOY:** So I just wanted to make
4 sure that I said that on the record.

5 **DEAN BECKMAN:** No, I understand. I just
6 want you to know that we're cognizant of that, and
7 we do pay attention to those things and look at
8 those things. That was my only comment.

9 **VICE DEAN JOY:** And this kind of leads
10 into the admission's criteria and class profiles.
11 And I note that the entering class in 2009 had
12 basically higher LSAT and GPA across the board than
13 the two subsequent years.

14 So for the entering class that entered
15 this fall, 2011, looking at say the lowest, the 25th
16 percentile, the LSAT is a 144. And I'm wondering,
17 if you know, how far down would you go? Like what's
18 the lowest LSAT that was admitted and, you know, how
19 the segmentation, you know -- the segmenting, I
20 should say, goes in the 25th percentile?

21 **DEAN BECKMAN:** The 2011 class, I don't
22 have the details, but -- Terrance, do you have that
23 detail as to how the 2011 class, how the bottom 25th
24 percentile segmented? Do you have that information?

25 **ASSOCIATE DEAN COOK:** I believe I do, if I

1 can have a moment to take a look.

2 **VICE DEAN JOY:** Sure. In fact, I'm also
3 going to ask a similar question about the GPA. And
4 so you could take a look at that, and I'll ask some
5 other questions; and whenever you're ready, you can
6 wave your hand and I'll get back to this topic.

7 But still staying with students and
8 qualifications, I note that a student ends up
9 getting on probation if their GPA falls below a 2.0;
10 but then if the GPA falls below a 1.25, the student
11 is academically dismissed; is that correct?

12 **DEAN BECKMAN:** Correct.

13 **VICE DEAN JOY:** Once a student is placed
14 on academic probation, it indicates that they
15 receive academic support through the director of
16 academic success and then enrolls in an appropriate
17 academic success class.

18 Could you talk a little bit about all the
19 things that are done, or if you have different
20 programs designed for different students based on,
21 you know, how far below they've fallen when they get
22 triggered on probation?

23 **DEAN BECKMAN:** Sure. Well, probably the
24 best person to respond to that with great detail
25 would be Dean Meldrum.

1 **ASSOCIATE DEAN MELDRUM:** Yes. Actually,
2 our academic success program begins well in advance
3 of probation. It begins prior to the matriculation
4 of our students.

5 When the law school first opened, we did
6 not have a Bridge Week program; but we learned very
7 quickly that the demographic of the students to
8 which we were catering, that it really would benefit
9 them to have that opportunity to learn how to learn
10 before we before we expected them to learn. So we
11 started a Bridge Week Program, and that's the week
12 before matriculation.

13 And then all students participate in the
14 Academic Success Program 1, known as ASP 1. That
15 program is all about academic success courses. It's
16 provided to the students at no cost. And so all
17 students participate in that.

18 After the completion of their first
19 semester, those students who we've identified as
20 potentially being at risk -- and that in the past
21 has been 2.35 or below, we were going to change that
22 to be 2.33 or below 2.33 -- they participate in
23 Academic Success Program 2. And that course is also
24 available for all students on a voluntary basis, but
25 it's mandatory for those students who do not receive

1 a 2.33 or better. Thereafter, for students who may
2 come to be on probation in a successive term, we
3 have the Academic Success Program 3.

4 And then finally, at the last phase of our
5 Academic Success Program there's the Bar Exam Skills
6 Course, which also includes counseling for the Bar
7 or will include counseling for the Bar. In addition,
8 we have counseling provided by many of our Academic
9 Success faculty. I provide counseling to all
10 students. I identify them as at-risk after they
11 take their midterm exams. And I provide one-on-one
12 counseling for them, as well as counseling support
13 when I'm the director of Academic Success.

14 Finally, we employ three writing
15 specialists. We've identified some core-level
16 writing deficiencies, and so we have three writing
17 specialists that frequently provide tutoring to our
18 students as well.

19 **VICE DEAN JOY:** And you've kind of been
20 responding to my question. You mixed two things,
21 and so I want to separate out. You know, I
22 understand all of the programs that every student
23 engages in. And then you were talking -- and if I
24 heard you correctly, so you may have to fill me out
25 -- but one of the things I heard you say is based on

1 midterm exams. If students do poorly, they then
2 receive some additional counseling; is that correct?

3 **ASSOCIATE DEAN MELDRUM:** Yes, sir.

4 **VICE DEAN JOY:** Okay. And what does that
5 counseling consist of?

6 **ASSOCIATE DEAN MELDRUM:** Well, it
7 generally depends on the needs of each student. I
8 start first by identifying those across the
9 curriculum that appear to have not done as well on
10 the midterms. And maybe it was one midterm; but
11 more likely than not, it's a pattern across the
12 curriculum on the courses that they have.

13 And so the first step is, I sit down and I
14 talk with them about why they feel like they weren't
15 as successful as they would have liked to have been.
16 I also require each of the students to meet with
17 their doctrinal faculty to discuss their midterm
18 exams so that they can get some feedback to improve.

19 Thereafter, I also make recommendations
20 for their tutoring through the writing specialists
21 and through the director of Academic Success as
22 well. Some of those students who may have some
23 additional problems, we may, depending on their
24 needs, refer them to the library for additional
25 resources that we have available there.

1 **VICE DEAN JOY:** Okay. And then once a
2 student -- this is after the midterms, but this is
3 before a student might be placed on academic
4 probation; do I have that correct?

5 **ASSOCIATE DEAN MELDRUM:** Yes, this is
6 every term.

7 **VICE DEAN JOY:** Okay. Now, once a student
8 gets on academic probation, I'm making an assumption
9 that at least some of those students are students
10 that everybody's been working with because, you
11 know, some of them have been experiencing academic
12 issues all along, and then at some point they get
13 into academic probation.

14 What programs, if any, do you have in
15 addition to what you've been doing once a student
16 actually gets into probation?

17 **ASSOCIATE DEAN MELDRUM:** I can't say that
18 it's different than what we've provided before; I
19 can only say that it's a bit more targeted.

20 So generally, once we identify the needs
21 of that student, either through the midterm results
22 or also through our turning-point questions -- we
23 provide multiple-choice questions in every class.
24 So sometimes we pull that data to determine even
25 earlier whether or not they're making progress.

1 Once they go on probation, they have more frequent
2 meetings with the director of Academic Success, as
3 well as their Academic Success professor.

4 And so, generally, that's the course that
5 those students have taken. They also have faculty
6 advisors as well. And I have found -- I generally
7 require them to have a closer relationship during
8 that period with their faculty advisor to do the
9 proper mentoring.

10 **VICE DEAN JOY:** Right. Do you ever
11 require a student on probation to take a reduced
12 course load?

13 **ASSOCIATE DEAN MELDRUM:** We've never
14 required a student on probation to take a reduced
15 course load; we have required them to do a reduced
16 workload.

17 **VICE DEAN JOY:** Okay. And kind of related
18 to academic probation then, it indicates that since
19 the end of the fall 2010, 18 students have been
20 academically dismissed; and also you indicated that
21 you readmitted six of the previously disqualified
22 students.

23 Of the 18 that were academically
24 dismissed, how many applied for remission? That's a
25 piece of information I didn't have.

1 **ASSOCIATE DEAN MELDRUM:** Bear with me just
2 a moment.

3 For October, it shows a part-time class of
4 2013, four students were academically dismissed,
5 four students sought readmission; two of whom were
6 readmitted.

7 Of the part-time class of 2014, one
8 student petitioned for readmission, of the one that
9 was academically dismissed -- and this was in the
10 fall of 2010. Full-time --

11 **VICE DEAN JOY:** I'm sorry. One petitioned
12 for readmission. Was that student readmitted or
13 not?

14 **ASSOCIATE DEAN MELDRUM:** That student was
15 not readmitted.

16 **VICE DEAN JOY:** Okay.

17 **ASSOCIATE DEAN MELDRUM:** And, again, I'm
18 going with the fall of 2010.

19 **VICE DEAN JOY:** Sure.

20 **ASSOCIATE DEAN MELDRUM:** The full-time
21 class of 2013, in the fall of 2010, had one student
22 that petitioned for readmission, and no
23 readmissions.

24 **VICE DEAN JOY:** Okay.

25 **ASSOCIATE DEAN MELDRUM:** The readmissions

1 from the fall constituted two students and from
2 that, six students sought readmission.

3 In the spring --

4 **VICE DEAN JOY:** Okay.

5 **ASSOCIATE DEAN MELDRUM:** I'm sorry.

6 **VICE DEAN JOY:** Oh, no. I'm sorry. Go
7 ahead.

8 **ASSOCIATE DEAN MELDRUM:** Spring 2011 --
9 maybe I can speed it up more by just adding it all
10 together for you -- we had 10 students who sought
11 readmission and four were readmitted.

12 **VICE DEAN JOY:** Okay. And of the six
13 total that had been readmitted as of fall 2010, it
14 indicated that two had gone through their
15 probationary year, one was disqualified again during
16 this -- I should say probationary semester, not year
17 -- and one successfully completed the readmission
18 probationary semester.

19 And then it says that currently there are
20 four who are in their probationary semester during
21 fall 2011.

22 **ASSOCIATE DEAN MELDRUM:** Yes, sir. Back to
23 your initial question, though, you indicated fall of
24 2010. At the time of fall 2010, we had no students
25 who had been dismissed at the beginning of fall

1 2010.

2 **VICE DEAN JOY:** I should have said since
3 the end of fall.

4 **ASSOCIATE DEAN MELDRUM:** I'm sorry. I'm
5 sorry. Could you ask the question again?

6 **VICE DEAN JOY:** Since the end of fall
7 2010, the school had academically dismissed 18
8 students, but then has readmitted six of the
9 previously disqualified students?

10 **ASSOCIATE DEAN MELDRUM:** Yes.

11 **VICE DEAN JOY:** Okay. Fine.

12 **ASSOCIATE DEAN MELDRUM:** Yes, we have
13 readmitted six.

14 **VICE DEAN JOY:** Okay. I've clarified the
15 questions I have; I'm not sure if you have any.

16 **ASSOCIATE DEAN MELDRUM:** I'm sorry. I
17 apologize for my confusion.

18 **VICE DEAN JOY:** No problem. And still
19 sticking with admissions issues, I'm taking a look
20 at the minority student admissions. And I see that
21 for the class entering in twenty, nine -- 2009, I
22 should say -- it was 8.6 percent; entering in 2010,
23 it was 8.8 percent; and now entering 2011, it's gone
24 down to 8 percent.

25 And I realize we're speaking about a very

1 small number of students, but I'm wondering if
2 there's any concern on the part of the law school in
3 terms of your yield on minority admissions, if you
4 believe that there's anything more that you could be
5 doing? I'd like to hear your thoughts on that.

6 **DEAN BECKMAN:** Sure. Yes, we've looked at
7 it from a number of different perspectives to try to
8 ascertain what challenges have been presented with
9 regard to minority admissions.

10 We, as you know, we made some significant
11 changes in our Admissions Department. And Dean Cook,
12 working with the administration, has actually
13 developed a fairly comprehensive plan to try to
14 overcome some of those challenges and be more
15 successful with our minority admissions and yield
16 record, which covers a lot of different areas.

17 Dean Cook, would like to speak to some of
18 those areas, highlight some of them?

19 **ASSOCIATE DEAN COOK:** Certainly. I think
20 in regards to our minority recruitment efforts, one
21 of the places we really want to improve is in the
22 area of our target marketing. Steps that we've taken
23 include developing our own internal database, if you
24 will, of contacts at historically Black colleges and
25 universities, as well as institutions that are

1 affiliated with historically -- excuse me --

2 Hispanic association of colleges and universities.

3 And so starting to develop and facilitate
4 those relationships, I think will be very important
5 particularly for the new and young law schools. And
6 that's an area where we're really starting to focus
7 heavily on. That's not to say that it wasn't being
8 done before, because it was; but on a go-forward
9 basis, I'm devoting more energy in that particular
10 area.

11 For instance, one of the examples, we
12 recently did a mass email, if you will for lack of a
13 better term, and I'll call it an introductory
14 letter. Since I am new to the staff, one of the
15 things I wanted to immediately do is introduce
16 myself to some of the contacts we had on record --
17 there were about 516 of them -- and, essentially,
18 introducing myself to those individuals and telling
19 them a little bit about the mission of the Duncan
20 School of Law, and essentially asking if I could
21 have time with them to visit with them about our
22 program of study, visit with their students about
23 our program of study, as well as inviting them to
24 come and visit our institution, if they had a group
25 of students that are interested in coming to

1 Knoxville and taking a look.

2 Another method, in regards to this target
3 marketing effort, is becoming more effective in
4 terms of how we use the law school admission
5 counsel's candidate referral service. Now, there is
6 a slight caveat there because being non-ABA,
7 students are opting-in to not only CRS, but also
8 opting-in to being contacted by a non-approved
9 school.

10 So we're not seeing the full scope of
11 what's available in regards to the applicant pool in
12 that sense; but we have had some success in terms of
13 our targeted searches through CRS, and, again,
14 getting out some of those electronic communications
15 with those students, as well as following up with
16 print material.

17 We have a wonderful PR staff with Lincoln
18 Memorial University that I am beginning to work
19 closely with in terms of developing the right types
20 of materials that will be communicating the message
21 that we want to communicate in regards to the
22 diverse opportunities available, not only at the
23 school of law, but also within the community of
24 Knoxville as well as the region.

25 Because I think one of the things we have

1 to consider is, you're just not talking about legal
2 education, sometimes you're also talking about a
3 lifestyle and students being comfortable in their
4 learning environment and, consequently, performing
5 better, hopefully, in the academic setting as a
6 result. So, again, developing promotional materials
7 that reflect our commitment to diversity, and being
8 able to send those out in an appropriate manner.

9 **VICE DEAN JOY:** And -- I'm sorry. I
10 didn't want to cut anybody off.

11 **DEAN BECKMAN:** Could I add a couple of
12 things to that?

13 **VICE DEAN JOY:** Sure. Sure. I do have a
14 follow-up question, but why don't you go ahead and
15 add to that.

16 **DEAN BECKMAN:** Well, I want to highlight
17 just a couple of other things in my mind. One of the
18 things that we have done with some success is we've
19 also utilized sort of student ambassadors. And we
20 found that current students calling perspective
21 students is incredibly effective. And we've done
22 that with our diverse students and are non-diverse
23 students, and it's been a great experience. In
24 fact, we matriculated a young lady who came to an
25 open house, and the reason she came to the open

1 house is because she got a personal phone call from
2 a student.

3 Another thing that we've done is we have
4 utilized a company to assess our marketing
5 materials. And I'll just tell you, just as you
6 didn't go to math, you know, you didn't get a degree
7 in mathematics, I didn't get a degree in marketing.

8 And so I'm here to tell you that this
9 really can be a substantial impact if you use
10 quality marketing materials versus marketing
11 materials that are less effective. And so we have
12 employed a company that's done some work for us --
13 research -- to determine the effectiveness of
14 marketing materials, both for the law school and for
15 minority groups. So that's another thing.

16 And one last thing I'll highlight is this,
17 and I think this is important. We have a fairly
18 diverse faculty. In fact, our numbers, I think are
19 -- I'm very proud. I'll just tell you, I'm very
20 proud of our diverse faculty. And I think that
21 impacts students. If they have a diverse faculty,
22 it helps -- at least that's my hope -- it'll help
23 attract a diverse student body population.

24 **DR. HESS:** One other thing. Some of those
25 faculty members have initiated a program to reach

1 out long-term. We want to develop our area in
2 knowledge of what's available to Duncan for minority
3 students. And you may want -- I don't want that to
4 go unmentioned.

5 **DEAN BECKMAN:** Yeah, our Pipeline Program,
6 and although it does reach back, obviously, to
7 middle school and high school, you have to start
8 somewhere. And the community has embraced us so
9 much that literally my faculty member could, if she
10 wanted to, speak at a high school or middle school
11 every day. And she's been asked back and our
12 faculty are getting more involved in that. So I'm
13 real happy with our Pipeline Program, that I think
14 over time will bear fruit.

15 **VICE DEAN JOY:** Okay. And so hearing
16 about all these efforts and redoubled efforts, would
17 it be fair to say that you believe that the numbers
18 should be higher and you're working towards really
19 trying to have a more diverse study body?

20 **DEAN BECKMAN:** Yes, sir.

21 **VICE DEAN JOY:** Okay. I don't know if
22 you're ready for the questions I asked concerning
23 the LSATS.

24 **DEAN BECKMAN:** Let me know if this doesn't
25 give you what you're looking for, sir.

1 For that class, the lowest LSAT was a 140,
2 and that particular individual had a 2.33 GPA.

3 The lowest GPA 182 and had a 152 LSAT, and
4 that was a reentry student.

5 **VICE DEAN JOY:** Okay. And so to kind of
6 circle back and wrap-up some of the academic support
7 issues. Would you explain a little bit about the
8 experience and qualifications of the person who
9 heads up the academic support program?

10 **DEAN BECKMAN:** Sure. Right now, it's
11 headed -- well, let me backup a little bit because,
12 in many respects, ASP is a team effort. And ASP
13 really does filter through the entire institution.
14 And that's important. It's not as though Professor
15 Walker is an island on his own. He is somebody who
16 is committed and works with faculty to see what is
17 most effective. So that's important.

18 We previously had someone with some ASP
19 experience and it had been changed, and now it's
20 Professor Walker who leads that department, who is
21 involved in that. He's been involved in legal
22 writing and those sorts of things for a long time,
23 clerked for a judge and that sort of thing, so his
24 credentials are fairly practical credentials, if you
25 will.

1 But really to answer your question, if I
2 could, I want to reframe it a little bit and answer
3 it this way and tell me if it doesn't give you what
4 you want.

5 **VICE DEAN JOY:** Okay. But if it doesn't,
6 I'll just restate my question.

7 **DEAN BECKMAN:** That's fine. That's fine.

8 What I think's important is trying to
9 determine whether it's a successful program. I
10 mean, with our limited data -- we have very limited
11 data to ascertain and assess whether it's effective.

12 But ASP has assessment -- we assess
13 everything -- at two levels. First is the
14 individual course level assessment. And we do that
15 a couple of ways -- if I leave something out, please
16 jump in -- but subjective surveys of students, for
17 example. And we survey students, you know, has this
18 been effective. Now, we know that that's just
19 limited data, but it's one, one indicator.

20 The second is individual course
21 assignments where a student will perform an
22 assignment and then later, after counseling,
23 whatever, perform again and see if there's
24 improvement. So at the individual course level,
25 that's two methods of assessment.

1 We also have departmental level
2 assessment. In that case, the director would use
3 the students' portfolios. Now, he doesn't review
4 every portfolio, but every student at Duncan has a
5 writing portfolio where every graded writing
6 assignment is cataloged in a portfolio and held. So
7 what he does at the beginning of every academic
8 term, he'll literally randomly pull different
9 portfolios, at least 10 percent, to assess progress
10 in writing. And so that's sort of a departmental
11 level assessment to determine whether or not we're
12 being effective. That said, we're young, and I
13 can't tell you that it's necessarily effective; but
14 I think over time, we'll determine whether it is.

15 **VICE DEAN JOY:** Because you gave me other
16 information that I just want to make sure as to my
17 question concerning the experience and
18 qualifications of the person who is, at least,
19 normally the head of pervasive Academic Success
20 Programs.

21 **DEAN BECKMAN:** Sure.

22 **VICE DEAN JOY:** Professor Walker, it
23 sounded as though you were saying he's somebody
24 who's had experience, he's a legal writing person,
25 but not prior experience in heading up an Academic

1 Success Program?

2 **DEAN BECKMAN:** That's true.

3 **VICE DEAN JOY:** And also, you indicated
4 that he hasn't been the person heading up that
5 program since its inception.

6 **DEAN BECKMAN:** That's true.

7 **VICE DEAN JOY:** When did he start?

8 **DEAN BECKMAN:** He officially started as
9 head of the program this fall.

10 **VICE DEAN JOY:** Okay. So some of these
11 questions you might not have the answer to, but I
12 want to ask them just to be sure.

13 Do you know whether he or anyone else has
14 been taking a look and trying to correlate, say the
15 admissions credentials of students along with those
16 who end up needing extra counseling or get into
17 probation or are academically dismissed?

18 **DEAN BECKMAN:** Yes, do you want to try to

19 --

20 **ASSOCIATE DEAN MELDRUM:** Yes. Actually, if
21 I may, we brought a chart. We do have limited data,
22 obviously, with our Academic Success Program. But
23 one of the things that I think is most telling
24 about, at least, some indication of some success
25 with the program involves our ability to meet the

1 needs of those students who are identified in the
2 bottom 25th percentile on both their GPA and their
3 LSAT.

4 And of the group, the red squares are
5 indicative of students who have been dismissed. I'm
6 sorry, if you can't --

7 **VICE DEAN JOY:** Oh, no, that's okay, since
8 I have a copy.

9 **ASSOCIATE DEAN MELDRUM:** The red box
10 represents students who have been dismissed. We've
11 only had two students that are in the bottom 25th
12 percentile on LSAT and GPA be dismissed. And,
13 again, we recognize that there are many variables
14 that that could speak to, but we do believe that
15 that is indicative of at least some success of our
16 Academic Success Program.

17 In addition to Professor Walker, who has
18 taken over the Academic Success Program, we also
19 have another component for the Bar Exam Skills. And
20 we don't feel that Bar Exam Skills start when you
21 get ready to graduate. So we have hired someone
22 with significant experience in Academic Success to
23 aid us in the process, to start the counseling
24 that's worked toward the success on Bar Exam much
25 earlier on in the process. So we have added some

1 support to that program.

2 **VICE DEAN JOY:** All right. And I'm going
3 to ask you a couple of questions where probably
4 you're going to just say, that's right; but I'm
5 doing this both to create a record and because the
6 rest of the committee may not be able to see the
7 graph that you have there.

8 I'm looking at it, and it indicates that
9 of the 18 academically dismissed students -- am I
10 correct, is this the 18 students that we were
11 talking about previously? Because I see this is at
12 the end of spring 2011, so it may have more than the
13 18. I'm not sure.

14 **ASSOCIATE DEAN MELDRUM:** No, I actually
15 show 19.

16 **VICE DEAN JOY:** Oh, you show 19. Okay. So
17 that's because this is based on a different time
18 frame, a longer time frame than previously.

19 So out of the 19, I see 17 of them
20 probably had an LSAT of 148 or below. I know it's
21 under 150; but you didn't graduate on the graph, but
22 it looks to be about a 148 or below.

23 **ASSOCIATE DEAN MELDRUM:** That looks to be
24 accurate, sir.

25 **VICE DEAN JOY:** Okay. And there's one at

1 150, and a second one at probably a 151.

2 **ASSOCIATE DEAN MELDRUM:** Yes, sir.

3 **VICE DEAN JOY:** Okay. And the lowest on
4 the scale looks to be probably a 138 LSAT.

5 **ASSOCIATE DEAN MELDRUM:** I believe that to
6 be true.

7 **VICE DEAN JOY:** Okay. And you show at
8 that level only one other current student, but that
9 is not on probation. I mean -- I'm sorry -- has not
10 been dismissed, so you have somebody there. And the
11 one who is at the 138 LSAT had an entering GPA of
12 something under 3.0 but over -- probably close to
13 2.9 or 2.9 and a fraction.

14 **ASSOCIATE DEAN MELDRUM:** Yes, sir, the one
15 that was dismissed.

16 **VICE DEAN JOY:** Okay. And then on the
17 GPA, just to get this on the record, you have one
18 academically dismissed student with over a 3.75 GPA,
19 but that's somebody who probably had about 141 LSAT.

20 **ASSOCIATE DEAN MELDRUM:** Yes.

21 **VICE DEAN JOY:** And then you have another
22 with about a 3.55 GPA and, again, an LSAT of about
23 141.

24 The lowest GPA of anybody on academic
25 probation -- I mean, I'm sorry, academically

1 dismissed was someone with a GPA of probably about a
2 2.45 or four and some fraction, 2.4 and some
3 fraction, but also an LSAT of about a 143, would be
4 my guess.

5 **ASSOCIATE DEAN MELDRUM:** Correct.

6 **VICE DEAN JOY:** Okay. So I think that it
7 at least tries to create the record, and I'll
8 probably ask at the end to have this copy
9 incorporated so that the counsel can actually have
10 the graph with them.

11 Based on now this tracking that you've
12 done, what conclusions have you come to about things
13 that this school could be doing or should be doing
14 to try to make adjustments in light of the data that
15 you have?

16 **ASSOCIATE DEAN MELDRUM:** Well, first I
17 will say that we have limited data, so we're not
18 prepared to formulate any final conclusions that
19 would necessitate an overall change in the Academic
20 Success Program until we've had a bit more time
21 under one director, utilizing the same courses that
22 we set forth, especially if we could have some
23 students who have taken the Bar, you know. All
24 those factors will be looked at together.

25 But my intention at this point is to

1 provide this data. I have an opportunity next month
2 to meet with the Admissions Committee, and my intent
3 is to speak with them about what my data reveals. I
4 think it's important when they are making admissions
5 decisions -- I'm not on that committee -- that as
6 they're considering whether or not a student can be
7 successful in the academic program, that I can show
8 them evidence that I have that would indicate those
9 that are most likely to succeed. So we intend to
10 use the data with the Admissions Committee.

11 And I also intend to use the data with the
12 Academic Standards Committee so as they're making
13 decisions regarding readmission, they need to be
14 made aware of the likelihood of success, at least
15 the limited evidence that we have might reveal.

16 **VICE DEAN JOY:** And have you consulted
17 with anyone who's had experience in law schools with
18 Academic Success Programs to show them the data that
19 you've collected, review the programs that you have,
20 and ask them for advice or suggestions,
21 recommendations?

22 **DEAN BECKMAN:** We've done better than
23 that, we've hired one. We've actually hired an
24 individual who has experience with -- a great deal
25 of experience with academic support, with Bar

1 preparation with great success, and he will start
2 with us next July -- and, in fact, even experience
3 specifically with the Tennessee Bar. So, yeah,
4 we've hired somebody. We spent a great deal of time
5 doing that.

6 What's interesting, so you know the
7 timelines, where we are. We were fortunate to get
8 this individual. And it took us -- I wanted to walk
9 in today with the contract, but part of the SAC's
10 requirement is we have to have their actual
11 transcripts. And we didn't get the transcript from
12 Columbia until Thursday, and so I didn't get all the
13 paperwork done to go with the signed contract so I
14 could say, hey, here he is and here's what going on.

15 **VICE DEAN JOY:** So if I understand you
16 correctly, you've hired somebody to do this, but the
17 start date is July 2012?

18 **DEAN BECKMAN:** That's correct. July 1,
19 2012.

20 **VICE DEAN JOY:** In between now and July
21 2012, do you have a temporary consultant? A pro
22 bono advisor? Someone with experience trying to
23 help you take a look at what you could do for your
24 current students so that they can progress well,
25 both in the law school and then eventually become

1 members of the Bar?

2 **DEAN BECKMAN:** Yeah, I think we've done --
3 well, an individual aside from him, no; but we've
4 done a number of things.

5 We consulted with, for example -- Gordon,
6 help me with his name.

7 **ASSOCIATE DEAN RUSSELL:** Jim Jander.

8 **DEAN BECKMAN:** Jim Jander, talked to him.

9 **ASSOCIATE DEAN RUSSELL:** We've had him do
10 videoconferences, talking to our faculty about the
11 way he thinks the programs works.

12 **DEAN BECKMAN:** We're trying to, sort of on
13 a grander scale, look at everything we could
14 possibly do that might enhance our students' ability
15 to be successful on the Bar exam. And so, for
16 example, we just started working with a new program
17 that Kaplan has so that we can start integrating Bar
18 questions throughout the curriculum over time so
19 they're more and more familiar with actually what
20 Bar exam questions are like.

21 So we're looking at a lot of different
22 things. I wouldn't say there's a thing that we've
23 done, but we're constantly -- anytime anything's out
24 there that we think may provide some benefit to our
25 faculty or students, we're looking at those kinds of

1 options to try to give them more tools.

2 **VICE DEAN JOY:** Okay. And this is
3 probably one of those questions that will just
4 require a very straight answer.

5 No student has graduated yet, so you don't
6 have any Bar Exam results?

7 **DEAN BECKMAN:** Correct.

8 **VICE DEAN JOY:** But you have mentioned,
9 and it's been in the materials, that you have a lot
10 of Bar preparation, that you've been working with
11 students actually from the date that they enter law
12 school?

13 **DEAN BECKMAN:** That's true.

14 **VICE DEAN JOY:** Okay. And in terms of a
15 couple of the programs that you have, it states that
16 you plan to start an externship course in spring
17 2012?

18 **DEAN BECKMAN:** That's when students will
19 be placed, yes, that's right.

20 **VICE DEAN JOY:** And you indicate that both
21 full-time and part-time students will be equally
22 eligible to participate. But there was, in the
23 materials, some concern that part-time students
24 expressed that due to their existing work and home
25 obligations, it would be difficult for them to

1 participate.

2 **DEAN BECKMAN:** That's true.

3 **VICE DEAN JOY:** Okay. Do you -- I don't
4 know -- has the new director of this externship
5 course, has that person been developing placements
6 already?

7 **DEAN BECKMAN:** Yes.

8 **VICE DEAN JOY:** Do you know how many
9 placements the person has developed?

10 **DEAN BECKMAN:** Yes.

11 **VICE DEAN JOY:** Okay. How many?

12 **DEAN BECKMAN:** We have as we sit here
13 today, unless it's changed in the last three days
14 since we've to Chicago, we had 17 confirmed places,
15 and we have 10 that were being developed that were
16 not confirmed; so 17 confirmed, 10 that were sort of
17 under consideration. And it's important to note
18 that of those, there will only be a small number of
19 students actually eligible and having an opportunity
20 in the curriculum to take an externship program in
21 the spring.

22 So to be precise, 65?

23 **ASSOCIATE DEAN MELDRUM:** It will only be
24 65 students who are eligible. While we intend to
25 offer the opportunity to both full-time and part-

1 time students, the constant nature of our required
2 course curriculum, the full-time students won't be
3 able to take advantage of that opportunity until the
4 summer.

5 So it's the part-time class of 2013 that
6 can actually participate in the externship program.
7 We have 65 students within that class, and I will
8 have five other electives outside of the externship
9 program from which they can choose. So I suspect
10 that there will be 20 or less students who will
11 decide to participate in that externship program.
12 So his initial charge was to ensure that we had
13 sufficient placement fall and spring to meet their
14 needs, and he's already accomplished that.

15 **VICE DEAN JOY:** And of those placements,
16 do you know if any of them are ones that either
17 provide for a student to work outside normal
18 business hours and otherwise accommodate part-time
19 students?

20 **DEAN BECKMAN:** Yeah, that's been part of
21 the charge. And so off the top of my head, for
22 example, one of the areas we've looked at is
23 municipal courts. Municipal courts frequently run
24 outside of normal business hours. I used to be a
25 part-time municipal judge, and we had dockets until

1 eleven o'clock at night. So I'm familiar with, at
2 least in Texas how we did it, so, yes.

3 **VICE DEAN JOY:** Would it be fair to say
4 that every effort will be made to try to accommodate
5 part-time students who want an externship by
6 developing opportunities that might be able to be
7 done given the obligations that they have with their
8 work and family?

9 **DEAN BECKMAN:** Yes.

10 **VICE DEAN JOY:** Also, just to have this in
11 the record, it states that the law school doesn't
12 have any plans to establish an in-house clinic in
13 the near future.

14 **DEAN BECKMAN:** That's correct.

15 **VICE DEAN JOY:** Looking down the road in
16 terms of strategic planning, is that an issue that's
17 still going to be discussed? What are your thoughts
18 on that?

19 **DEAN BECKMAN:** Well, I tell you, I have
20 two different thoughts. I think one, I want us
21 always to have a robust externship program. I think
22 that's important. We certainly have talked about
23 clinics and although it's not in our sort of
24 immediate Strategic Plan, we do discuss it and we
25 discuss the kinds of clinics, what would be the most

1 appropriate clinic, just sort of the needs of the
2 local community, and it would sort of work with us.
3 So, yes, as our Strategic Plan sits right now, it
4 does include -- we talk about it regularly at
5 strategic plan.

6 **VICE DEAN JOY:** Okay. Moving on to the
7 co-curricular activities such as Law Review, Moot
8 Court and Mock Trial. Again, I know you have a
9 required curriculum. One of the statements in the
10 materials is that the law school believes that it
11 might be impossible, or almost impossible for part-
12 time students to participate in these programs. And
13 it could be that that's just the Site Team reporting
14 back something that they heard in the Site Report,
15 but I want to clarify that for the record.

16 **DEAN BECKMAN:** Yeah, I think -- but I
17 think what was said was, impossible to participate
18 for credit.

19 **VICE DEAN JOY:** Okay.

20 **DEAN BECKMAN:** Because -- no, in fact, up
21 until I guess this last recent class, Law Review was
22 nothing but part-time students.

23 **VICE DEAN JOY:** Okay.

24 **DEAN BECKMAN:** Moot Court was nothing but
25 part-time students. And it's actually somewhere in

1 here. I can dig it out, because I know I have it.
2 I can tell you with specificity how many of each
3 cohort are participating. No, no, no, it's never
4 been the case.

5 The problem we encountered was when we
6 first started -- and this is in the material -- when
7 we first started, we gave credit. The problem was
8 we couldn't figure out a way, given everything that
9 we do, to give them credit and comply with the ABA
10 standard. It created a problem for us with timing
11 and everything else. That's what -- I think there's
12 a piece missing from the sentence because -- no, in
13 fact, they've been the first ones participating in
14 all of those co-curricular activities.

15 **VICE DEAN JOY:** All right. As you see,
16 that's part of the reason I'm asking some of these
17 questions, to nail things down.

18 I'd like to move to the library and talk
19 about the plans the law school has in terms of
20 increasing library services as the student
21 population and faculty grow.

22 **DEAN BECKMAN:** Sure.

23 **VICE DEAN JOY:** So that's my question:
24 What are the plans in terms of increasing service?
25 And how have you been monitoring, to date, the need

1 for increased services and what are your plans
2 moving forward in that regard?

3 **DEAN BECKMAN:** I'll start backwards. How
4 do we monitor? We survey people to death. We do.
5 The library does regular surveys. In fact, we're
6 trying to figure out how we can sort of consolidate
7 our surveys because we send so many surveys out to
8 try to determine those kinds of needs.

9 Our library, I'm incredibly proud of our
10 library. And we have, as you know, a primarily
11 electronic model. And the ultimate question is,
12 does our model serve the needs of our faculty and
13 our students. And I think unquestionably it does. I
14 can tell you that not only just the surveys, I sit
15 there and I go and I talk to these students, and I
16 ask them questions. And I'll sit down while they're
17 in the library -- and we have a library without
18 walls, but we do own some books -- and I'll sit down
19 and I'll talk them and I'll ask them about it. And
20 they'll tell me, you know, we use the books when
21 we're told to use the books; but other than that,
22 we're online because we have such a robust library
23 and such robust resources.

24 So from the student perspective, I think
25 we're clearly meeting the needs. Remember, I come

1 from a small practice. And I have to tell you, we
2 couldn't afford to keep up a tremendous library.
3 And what we used was electronic resources. And I
4 can tell you that in talking to law firms all over,
5 they're not buying books. They're buying electronic
6 resources. So our students are learning how to use
7 what they're going to learn in practice, that's
8 number one.

9 Number two, what about faculty.

10 Well, our faculty know coming in, we're
11 primarily electronic. I can tell you with a
12 certainty because I asked this question at the last
13 faculty meeting and everybody was present. I asked
14 the question: Has anybody ever asked for a resource
15 and has been denied; and the answer is, no.

16 Are you getting what you need? We train
17 our faculty like crazy. We have training sessions
18 all the time on how to use and become more effective
19 at using electronic resources. And so we provide
20 services as far as materials and what goes into the
21 resources library.

22 **ASSOCIATE DEAN RUSSELL:** I was going to
23 say as an aside, occasionally the Dean even shows up
24 for those trainings.

25 **DEAN BECKMAN:** Once in a while. Once in a

1 while.

2 But in addition to that, one of the things
3 -- we have lots of librarians. And so we have
4 librarians. We have an emerging technologies
5 librarian. We have librarians that provide lots of
6 different services. Our librarians are integrated
7 within our faculty. I mean, their offices are next
8 to faculty's and they each have liaisons, so they
9 work with the faculty and find out what they need.

10 The librarians take the faculty to the
11 lunch and say, we want to find out what your
12 scholarly agenda is and how can we help you. So
13 that provides two things, one, a monitoring and,
14 two, to make sure that the resources are there. So
15 those are some of the things we do.

16 We added a paraprofessional most recently.
17 When the Site Team, one of the things that they said
18 to us was, you know, you have professionals doing
19 sort of paraprofessional work. You ought to think
20 about adding a paraprofessional; we did. We've
21 added a paraprofessional. So we are very cognizant
22 of that, and I think very active in that. And I'll
23 shut up and let -- it's really his bailiwick.

24 **ASSOCIATE DEAN RUSSELL:** To focus on just
25 sort of services, what I think you're asking. What

1 we have done since the Site Team was there, we have
2 filled a paraprofessional position. We are
3 currently advertising for another position for a
4 librarian. That position would fall in student
5 services.

6 We're sort of splitting our responsibility
7 between student services librarian and faculty
8 services librarian. That position, we've
9 interviewed for. We weren't really pleased with the
10 candidates. We are re-advertising, but it is an
11 open position to be filled this year that would add
12 to our librarians.

13 So the process aspect is, we try to
14 integrate so that our librarians are embedded with
15 about four or five faculty, so their offices are
16 there with the faculty to provide services. We do a
17 service aspect. We do a research pool of students
18 who work under the librarians to provide research
19 assistance to the faculty. The faculty, if they
20 want to have a direct research assistant who, again,
21 is under the supervision of the librarian putting
22 those pieces together.

23 We do two things that I think are a little
24 bit different than probably a lot of other schools
25 with regard to service. We are using what's called

1 Lid Guide through online electronic library guides
2 that we're creating. We create them. We create one
3 for each faculty member. So as we sit with our
4 faculty to see what their interests are, we build
5 that sort of guide. So it's only for them to
6 access. It'll take them to the sources that they
7 are looking at, what they see as RSV, do they want
8 to have that. Some of them use it extensively,
9 others use it less; but we try to develop that need
10 on an individual level to the research needs of the
11 faculty.

12 And the second piece is the course level.
13 We develop library guides that are related to the
14 courses so that -- and I think this is probably
15 because we think because we have an electronic
16 library, it's very important that we look at the
17 table of contents of our courses, look at what
18 materials and read and direct our students to the
19 materials that are available to them through our
20 electronic resources through that guide. So the
21 guides are produced to match up to what courses are
22 being taught and what resources. So resources, for
23 example, to specific catalogs. It might be
24 resources to specific books.

25 So, for example, this year, we entered

1 into agreement with West. We're doing a trial
2 project with West for West study books. They have
3 350 titles that are electronically available that
4 students can buy. We purchased them as part of our
5 West. Our students now have access to them as e-
6 products. So in the guides, we're starting to put
7 the links to those particular books, whether it's a
8 nutshell or an e-thing, to give the students an
9 opportunity.

10 One of the reasons we made that decision -
11 - and I think this goes back to the service piece --
12 in surveying our students, for the last three years
13 we did Aspen Study Guide. We gave that to every
14 student. The library paid for every student to have
15 Aspen Study Guides. We thought that would be a
16 great way for them to do outlining and case notes
17 and those pieces. And then we gave them, as part of
18 that package, the Understanding Book for each of the
19 courses they were taking.

20 Then we started doing surveys, and we
21 found out that 15 percent of our students would
22 actually use the product. We said, well, that
23 hasn't worked as a way to get them, let's try this
24 other product and give them 350 titles. And so
25 we've got four or five titles that they can look at

1 and decide which one works for them. And we're
2 going to do surveys of that as well.

3 **VICE DEAN JOY:** Okay. I have just a few
4 more questions that probably can be answered
5 relatively briefly so we could end the hearing. And
6 you may take that as a signal to -- as you like.

7 So one of the things that was hard for me
8 to understand concerning the library without walls
9 is, is there a reference desk, someplace in the law
10 school; and if there isn't, what is there for a
11 student who needs reference help? Is there a
12 directory that points to where the reference
13 librarian's office is, or is there a guide to follow
14 these footsteps and find the reference librarian,
15 you know? That's a question that I have.

16 **ASSOCIATE DEAN RUSSELL:** I think you have
17 to think about out building -- sort of the library
18 as being spread throughout the building.

19 **VICE DEAN JOY:** I have that in my notes.

20 **ASSOCIATE DEAN RUSSELL:** So the libraries
21 are in different places. One way we've dealt with
22 this is, we don't have a physical reference desk.
23 We have a virtual reference desk. We man the
24 reference desk virtually, our librarian. All of our
25 students -- and we're using -- we use Microsoft

1 Live. All of our students are signed into Microsoft
2 Live using their LMU EDU account, as are our
3 faculty.

4 And they can -- it extends beyond the
5 reference library. I want to make this point -- we
6 asked our faculty also to do office hours virtually
7 using this same service as part of their time. So
8 our students know that they can contact office hours
9 of our faculty that they have online, they know that
10 the reference desk is available, they can clearly
11 login to reference DSOL and they can ask a question.
12 We can push our information.

13 **VICE DEAN JOY:** But if a student wants to
14 see a reference librarian in the flesh, is that an
15 option?

16 **ASSOCIATE DEAN RUSSELL:** It sure is. I
17 would --

18 **VICE DEAN JOY:** That's all.

19 **ASSOCIATE DEAN RUSSELL:** I'd like to
20 answer literally that the faculty and our students
21 are just outside. Our faculty can't hide from our
22 students; our librarian can't hide from our
23 students. They're very, very visible.

24 **VICE DEAN JOY:** All right. And if a
25 faculty member wants a journal, say a law review,

1 and I understand you use HeinOnline, and Lexis and
2 Westlaw. The law review came out in July, but
3 HeinOnline hasn't loaded it yet, Lexis hasn't but
4 they will very shortly, Westlaw hasn't but they will
5 very shortly, but the professor's finishing a law
6 review article trying to get it out for a
7 publication window and has heard about this law
8 review article and wants a copy of it. How does
9 that law professor get a copy of that law review?

10 **ASSOCIATE DEAN RUSSELL:** Well, you'll
11 contact the librarian who would give you the library
12 law. The reality, I'm going to be totally honest
13 with you, what we would probably do in this case --
14 we are literally a mile from the University of
15 Tennessee, and we have done this on occasion -- my
16 librarian would walk over and make a photocopy and
17 walk it back to the professor.

18 **VICE DEAN JOY:** Okay. And moving away
19 from the library to the physical plant. I know that
20 there is space to be built out, both in terms of the
21 some student needs and faculty needs. What are the
22 school's plans in that area, both, in terms of when
23 you project more space needs to be built out? When
24 will that phase begin; or if it's currently being
25 done, what are you in the process of doing now?

1 **DEAN BECKMAN:** Well, let me ask you to
2 clarify. When you say built out, what do you mean
3 by "built out"?

4 **VICE DEAN JOY:** Well, for example, I
5 thought, as I recall, there was a statement about
6 that there is some space available to, I think the
7 word was used "built out" for faculty offices that
8 is accommodating staff.

9 **DEAN BECKMAN:** Yeah, let me sort of tell
10 you where we are and that may clarify it. We have
11 this enormous building that has now completely been
12 remodeled top to bottom. That's finished.

13 What's not finished is there may be some
14 rooms that are empty, lack of furniture or no
15 technology. Everytime we build a classroom out -- I
16 know that's not your question, but let me talk about
17 a classroom now. A lot of technology goes in the
18 classroom. So depending on the size, it starts at
19 about 50 grand and goes up on cost.

20 The reason we didn't go and build all the
21 classrooms out is because our student population,
22 we don't -- I mean, we have classrooms, you know.
23 You're not going to use it, why build it out. That
24 doesn't make fiscal sense. The other thing is,
25 technology changes. So our courtroom is more

1 technologically advanced than the Lincoln Memorial
2 one. It was our very first one, because of the
3 years.

4 **VICE DEAN JOY:** Right.

5 **DEAN BECKMAN:** So we add technology as we
6 need it. We get together -- Dean Meldrum might do
7 this regularly. It's like, well, what are we going
8 to need, and make sure that we have everything in
9 place well before it starts. So if we're going to
10 start -- if we need another classroom, for example,
11 that's physically there but hasn't had the furniture
12 and technology, we sit down and figure that out. We
13 talk to finance. We talk to IT. They get a
14 schedule and they make sure that everything is done.
15 So that's the classroom.

16 The faculty offices, we're flush with
17 offices. We just order furniture and throw it in
18 there, and we don't even have to mess with it. I'm
19 not sure I've answered the question.

20 **VICE DEAN JOY:** You're circling right
21 around.

22 **DEAN BECKMAN:** Okay.

23 **VICE DEAN JOY:** Do you have plans this
24 year to order furniture and electronic whatever for
25 faculty offices, or are you set until you hire more

1 faculty? In terms of classroom space, you have the
2 space there and all you need to do is throw in the
3 furniture -- not -- I mean put in furniture and so
4 forth?

5 **DEAN BECKMAN:** Yeah. Yeah.

6 **VICE DEAN JOY:** And when do you imagine
7 the next time you're going to need a classroom built
8 out?

9 **DEAN BECKMAN:** Every summer, basically,
10 until we're -- yeah.

11 **VICE DEAN JOY:** Okay.

12 **DEAN BECKMAN:** So that's how our planning
13 works.

14 The other thing is we acquired another
15 building as it were. There's a building next to us.
16 I think it was in the materials, that anticipated.
17 Well, we've acquired it, and now that hasn't been
18 built out.

19 **VICE DEAN JOY:** Right.

20 **DEAN BECKMAN:** That's just a structure and
21 we're meeting with an architect to figure out the
22 best use of the space and that sort of thing.

23 **VICE DEAN JOY:** And on that building --
24 this is actually my last question.

25 **DEAN BECKMAN:** Okay.

1 **VICE DEAN JOY:** It indicated, at least
2 when you were anticipating it, that you anticipated
3 a nominal lease amount for the building. And I
4 don't believe in the financials that I received that
5 there was any amount put in for rent or lease
6 payments. Do you have that information now that
7 you've leased it?

8 **DEAN BECKMAN:** I do. Again, the building
9 that we're in right now, I think you have that
10 amount. It's a \$1.00 a year.

11 **VICE DEAN JOY:** Uh-hum.

12 **DEAN BECKMAN:** The building that we just
13 acquired is three thousand -- I don't remember
14 exactly -- three thousand -- I can get you a precise
15 amount, but it's roughly three-thousand-and-change.

16 **VICE DEAN JOY:** And that concludes my
17 questions, Ms. Bosse.

18 **MS. BOSSE:** Thank you very much. Any
19 questions from other committee members?

20 **DEAN WHITE:** I have one.

21 **MS. BOSSE:** Yes, Dean.

22 **DEAN WHITE:** With respect to your students
23 who are going to be taking the Bar, oftentimes, when
24 a school has not been given Provisional or Full
25 Accreditation, they have to work with the Supreme

1 Court in order to give them permission to take the
2 Bar. Have you been working with the Supreme Court
3 of Tennessee to ensure that that happens, in case
4 you haven't gotten everything you wanted with
5 respect to accreditation and graduation?

6 **DEAN BECKMAN:** Yes, Dean White. We work
7 with the Tennessee Board of Law Examiners, that is
8 governed by the Tennessee Supreme Court, Rule 7,
9 specifically. And we actually received approval by
10 the Tennessee Board of Law Examiners, if my date is
11 correct, February 24, 2009.

12 And so our students right now, if we are
13 unsuccessful with obtaining accreditation through
14 this body, then we do have permission for them to
15 take the Tennessee Bar, yes, sir.

16 **MS. BOSSE:** Any other questions? Professor
17 Goldner.

18 **PROFESSOR GOLDNER:** Thank you. I just
19 want to make sure I understood it correctly, because
20 it seems to have an important part of the
21 protections in the forecast for the University
22 finances.

23 Did I understand you to say that the new
24 medical school, you're now in enough years of it so
25 that you have fully enrolled all the classes for

1 that.

2 **DEAN BECKMAN:** Uh-hum.

3 **PROFESSOR GOLDNER:** Has it met its
4 projections on total enrollment, and those are
5 included in these projections?

6 **DR. DAWSON:** Yes, in fact.

7 **PROFESSOR GOLDNER:** That answered my
8 question.

9 **MS. BOSSE:** Other questions? Yes, Mr.
10 Glenn.

11 **MR. GLENN:** I hope I can ask this question
12 concisely. What I'm trying to get at is this: Do
13 you have information that suggests that there will
14 be increased public funding for legal services
15 during the next five or ten years with respect to
16 eastern Tennessee?

17 **DEAN BECKMAN:** Increased public funding, I
18 do not have information that there will be increased
19 public funding, no, sir.

20 **MR. GLENN:** Would you agree that with
21 respect to a core part of your mission, it is to
22 prepare young lawyers to serve a population that
23 can't afford legal services?

24 **DEAN BECKMAN:** Yes, it's true. Yes, sir.

25 **MR. GLENN:** Do you have information that

1 suggesting that in eastern Tennessee, the rate of
2 retirement of current lawyers is higher than the
3 rest of the state?

4 **DEAN BECKMAN:** I don't know that I have
5 that information broken down by east or middle or
6 west Tennessee, sir. I'm not sure that I do. I'm
7 not sure that I do, no.

8 **MR. GLENN:** But you think it's pretty high
9 --

10 **DEAN BECKMAN:** Yes.

11 **MR. GLENN:** -- the projected rate of
12 retirement?

13 **DEAN BECKMAN:** Yes.

14 **MR. GLENN:** Do you have information
15 showing what the median or median annual income of
16 lawyers is in eastern Tennessee today?

17 **DEAN BECKMAN:** I don't know if we have
18 that information or not.

19 **MR. GLENN:** Do you have projections as to
20 what your student educational debt loads are likely
21 to be when they graduate?

22 **DEAN BECKMAN:** Yeah, I think we do. I
23 think that the debt loan will probably be in the
24 neighborhood of -- obviously, it depends on a lot of
25 different factors -- but between 80 and 100,000

1 dollars.

2 **MR. GLENN:** Have you looked at data
3 suggesting that there are certain levels of income
4 necessary to comfortably handle that debt load?

5 **DEAN BECKMAN:** Yes, but that's somewhat
6 individualized depending on what other debt a
7 student may have, what their cost of living is, what
8 their personal circumstances are.

9 **MR. GLENN:** I understand that.

10 **DEAN BECKMAN:** So it's hard -- it's hard
11 to really put that in a box, sir, but, yes. I mean,
12 that's clearly something we're cognizant of.

13 **MR. GLENN:** Do you have any sense as to
14 how your projected student educational debt loads
15 will compare with the historical and current debt
16 loads of graduates from the University of Tennessee
17 Law School?

18 **DEAN BECKMAN:** I don't; but the University
19 of Tennessee being a public law school and
20 subsidized by the state that it's -- with regard to
21 in-state tuition, if they have in-state tuition, it
22 would be substantially less. If it's out-of-state
23 tuition, it would be more.

24 **MR. GLENN:** Thank you.

25 **DEAN BECKMAN:** Yes, sir.

1 **MS. BOSSE:** Other questions?

2 Dean Beckman, Ms. Schrage is very precise.
3 She tells me that you have seven-and-a-half minutes
4 remaining for your closing.

5 **DEAN BECKMAN:** Thank you. You know, I
6 don't know that I have a lot. One thing I think I
7 ought to do though because I think it's important
8 is, after we submitted all our material, there was a
9 new standard that was passed. And that was the one
10 on the ABA complaint policy -- is it 512, is that
11 right.

12 Because that passed after all of our
13 materials were submitted, we have nothing in the
14 record to show compliance with that standard. We
15 immediately got together and created one. And so if
16 you would permit me, I would like to just tender a
17 copy, if that's acceptable --

18 **MS. BOSSE:** Certainly.

19 **DEAN BECKMAN:** -- because this addresses a
20 specific standard.

21 Well, let me just summarize by stating
22 this. I think -- you know, that little act is
23 somewhat indicative of what we do. What we do is we
24 try to look at ourselves and better ourselves.
25 We're a new law school. We're not perfect. We've

1 probably made more mistakes than we've gotten things
2 right. But what we do is we try to recognize those
3 mistakes and fix those mistakes and come together
4 and work together.

5 We have an incredible team of people. My
6 faculty and my staff, our students, are
7 unbelievable. When we come together, we work
8 together. Now, don't get me wrong, sometimes it's
9 like brothers and sisters; but aside from that, we
10 really do. I mean, we may have -- our tempers may
11 flare, and then we work it out and go have something
12 to eat.

13 We have a phenomenal team, and incredible
14 support from the main institution. I'm am so
15 blessed to have people that will come down. Dr. Hess
16 is our Vice President for Academic Affairs, and if I
17 need him to help with something, he's there and
18 living at the law school. That's huge to us.

19 If we need something, you know, Dr. Dawson
20 has never hesitated to be there when I need
21 something. He was going on a cruise for this
22 fundraising thing. And I needed him and I called
23 him, and he answered his phone. And I said, I'm so
24 sorry to call you. He said, that's all right. I'm
25 standing on the deck of the boat. It's okay.

1 I mean, the point is that there's never a
2 barrier, there's never something there that keeps us
3 from getting the support we need. And they are so
4 supportive in every respect, at all levels of the
5 institution. I just -- I'm thankful for that. But
6 there's a point, and the point is that if we'd done
7 something wrong, we'll fix it; hopefully, if we've
8 done something right, we'll improve it.

9 And we are always assessing ourselves. I
10 think that's important because we -- we're not --
11 it's what I call the ostrich factor. We don't bury
12 our head in the sand and say, oh, gosh, it'll go
13 away. We meet it head-on. We meet it head-on.
14 And, you know, we've made lots of mistakes, and
15 we've had some hiccups; but in the end, we've taken
16 the steps necessary to correct it. And we work as a
17 team incredibly well and incredibly effective. And
18 in the end, I think that we will be a strong
19 institution. I hope that you find the same.

20 Thank you for your time. Thank you for
21 letting us present again today. I appreciate it.

22 **MS. BOSSE:** Thank you, Dean.

23 This hearing is closed. We are off the
24 record.

25 **(Hearing concluded at 3:20 p.m.)**

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CERTIFICATE

I, Valerie R. Allard, do hereby certify that pursuant to the Rules of Civil Procedure, the witness named herein appeared before me at the time and place set forth in the caption herein; that at the said time and place, I in stenotype all testimony adduced and other oral proceedings had in the foregoing matter; and that the foregoing transcript pages constitute a full, true and correct record of such testimony adduced and oral had and of the whole thereof.

IN WITNESS HEREOF, I have hereunto set my hand this 3rd day of October, 2011.

/Signed _____
Valerie R. Allard