



Equity from Admission to Admission

Brian Gallini, Dean & Professor of Law, Willamette University College of Law

Roadmap: Equity from Admission to Admission

1. From admission....
 - The national landscape
 - Response
2. To admission (i.e., licensure).
 - The Executive Summary
 - What does the licensure landscape look like now?
 - How did we get here?
 - The OEP (in brief!)
 - The reform within the reform

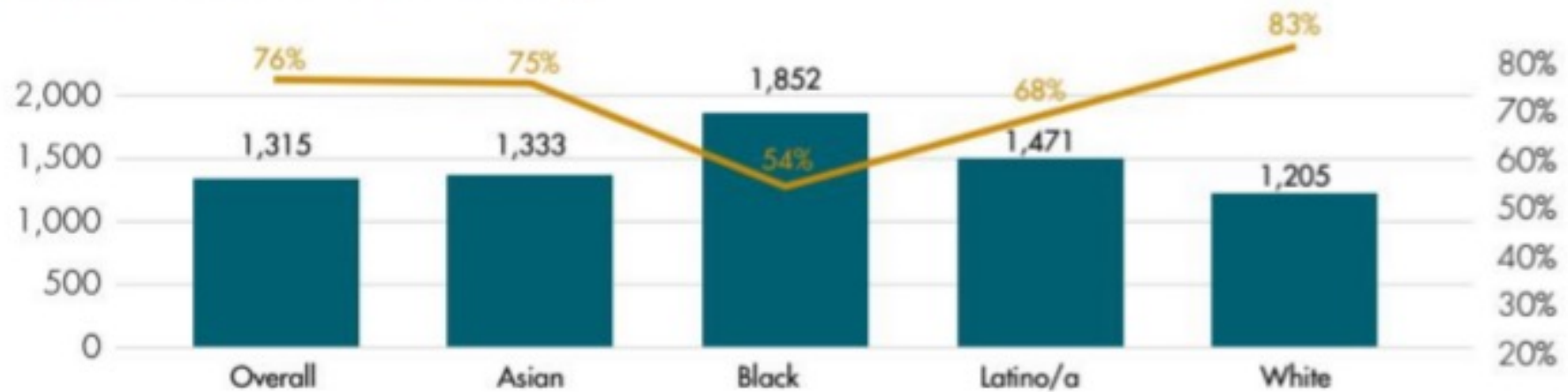
Admissions



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The National Landscape

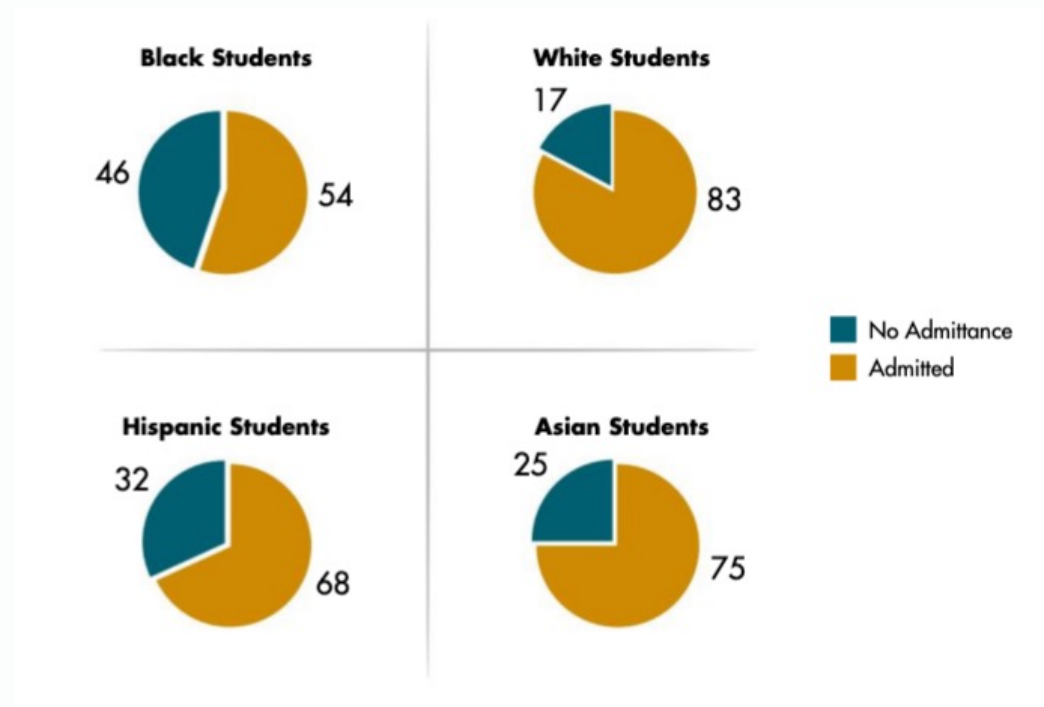




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The National Landscape



Why?

- **Narrow conception of “merit” as measured by particular focus on the LSAT**
 - impacts admission & scholarship decisions
- **Absence of consistent access to undergraduate mentorship & programming**
 - leads to late apps, late LSAT sitting (and lower scores), less money available for financial aid, and filled seats
 - The average score for Black test-takers is 142—11 points lower than the average for White and Asian test-takers of 153.3

Response: reduce barriers

- Recruit & admit differently!
- Eliminate application fees
- Expand admission criteria beyond LSAT
- Enhance mentorship opportunities

Willamette's approach



There is no application fee --
we don't want financial
considerations to prevent
anyone from applying to
Willamette.



WILLAMETTE LAW ACCEPTING GRE FOR APPLICANTS

04.06.2020 | WILLAMETTE COLLEGE OF
LAW

Willamette's approach



WILLAMETTE LAW LAUNCHES DEGREE PATHWAY WITH UNIVERSITY OF ALASKA SOUTHEAST

10.10.2020 | WILLAMETTE UNIVERSITY
COLLEGE OF LAW

New 4+3 Direct Admission Program allows undergraduate University of Alaska Southeast students and alumni to be admitted to Willamette Law based on certain academic credentials.



COLLEGE OF LAW ANNOUNCES LAW SCHOOL BOUND ADMISSION PROGRAM

01.15.2021 | WILLAMETTE UNIVERSITY
COLLEGE OF LAW

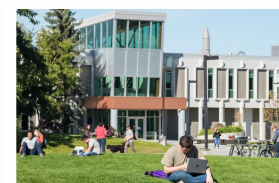
The program offers an innovative and transparent path to obtaining a legal education.



WILLAMETTE LAW ANNOUNCES NEW DEGREE PROGRAM WITH PORTLAND STATE UNIVERSITY

02.24.2021 | SARAH BELLO

New 4+3 Direct Admission Program allows undergraduate Portland State University students and alumni to be admitted to Willamette Law based on certain academic credentials.



UAA PARTNERS WITH WILLAMETTE UNIVERSITY COLLEGE OF LAW TO EXPAND ALASKANS' ACCESS TO A LEGAL EDUCATION

05.28.2021 | COLLEGE OF LAW

The new agreement between the University of Alaska Anchorage and Willamette Law will expand access to Alaskan students wishing to pursue law degrees.



WESTERN OREGON UNIVERSITY AND WILLAMETTE UNIVERSITY DEVELOP PROGRAM FOR WOU STUDENTS SEEKING A LAW DEGREE

07.21.2021 | WILLAMETTE UNIVERSITY
COLLEGE OF LAW

The new 4+3 agreement between Western Oregon University and Willamette Law will expand access to Western Oregon students seeking to pursue a law degree.

Partnerships include...

- Prelaw mentorship
- Renewable scholarship opportunities
- Guaranteed admission based on transparent criteria

Licensure

1. Executive Summary
2. What does the licensure landscape look like now?
3. How did we get here?
4. The OEP (in brief!)
5. The reform within the reform

Part 1: Executive Summary

- On January 13th, the Oregon Supreme Court unanimously approved “in concept” two new alternative pathways to attorney licensure: the Oregon Experiential Pathway (OEP) and the Supervised Practice Pathway (SPP)
- **OEP basics:** two-year curriculum-based experiential pathway to attorney licensure (for students)
- **SPP basics:** applicants engage in between 1000-1500 hours of supervised legal practice (for graduates)
- The court’s vote followed a report from the Oregon State Bar’s Alternatives to the Bar Exam Task Force. That work extended across more than eighteen months.



Part 2: What does it mean to “pass” the bar?

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Minimum Passing UBE Score by Jurisdiction



Part 3: How did we get here?



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The Oregon Supreme Court grants emergency one-time diploma privilege to the class of 2020.

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[Home](#) / [Daily News](#) / Oregon is third state to grant diploma privilege,...

BAR EXAM

Oregon is third state to grant diploma privilege, while Tennessee cancels its July UBE

BY [STEPHANIE FRANCIS WARD](#)

JUNE 30, 2020, 10:40 AM CDT

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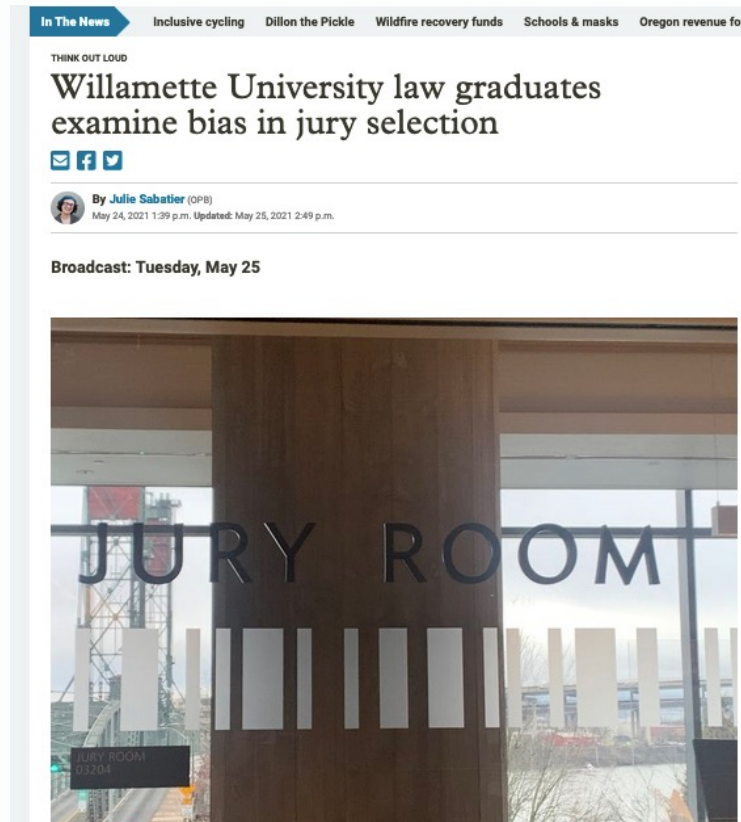
Willamette grads get to work

Willamette Law launches Racial Justice Task Force

by Sarah Bello, February 16, 2021



The media takes notice...



The Chief Justice charges a Task Force



OREGON SUPREME COURT

Martha.L.Walters@ojd.state.or.gov

September 14, 2020

Troy Wood
Oregon State Bar
PO Box 231935
Tigard, OR 97281-1935

Dear Members of the Board of Bar Examiners, Judge Lucero, and Mr. Wood,

As you know, this court recently approved admission to the Oregon State Bar for those who qualified for a form of "diploma privilege." We did so at the request of the Oregon law schools and because of the unprecedented circumstances faced by 2020 graduates. We certainly hope that those circumstances will not be repeated, and we do not anticipate making another such decision, especially considering the availability of materials from the National Conference of Bar Examiners for on-line bar examinations and some reciprocal portability of scores from on-line bar examinations.

Nevertheless, as a result of the information we have been provided about alternatives to Bar admission, we are interested in considering whether, in the future, and excluding the Bar exams scheduled for February and July, 2021, Oregon should grant admission to the Bar on some basis in addition to passage of the Oregon Bar Exam or the Uniform Bar Examination (UBE), such as a form of "diploma privilege." We are asking that you provide us with your assessments regarding alternative paths to admission and the related question of what changes in rule or statute would be necessary to implement any changes to the requirements for admission. We also would appreciate your views as to the appropriate passing score on the UBE for Bar admission in Oregon.

We hope that you will form a task force to undertake this important project and that you will include Bar Examiners, representatives of the Oregon law schools, law students, judges, legislators and other members of the public in this undertaking. We request that the task

The Task Force gets to work

Comprised of 30+ members, it had representation from...

- affinity bars,
- government institutions,
- Oregon law school representatives (including students), and
- liaisons from the court.

Task Force Work

Task Force's work was built on two pillars:

- Consumer Protection
- Equity

Consumer protection (where we are)



- **Closed-book exams** offer a poor measure of minimum competence to practice law;
- **Time constraints** on exams similarly distort assessment of minimum competence;
- **Multiple choice questions** bear little resemblance to the cognitive skills lawyers use; and
- **Written performance tests**, by contrast, resemble many of the tasks that new lawyers perform.

Consumer protection (where we want to be)



- The ability to act in accordance with the rules of professional conduct;
- An understanding of legal processes and sources of law;
- An understanding of threshold concepts in many subjects;
- The ability to interpret legal materials;
- The ability to interact effectively with clients;
- The ability to identify legal issues;
- The ability to conduct research;
- The ability to communicate as a lawyer;
- The ability to understand the “big picture” of client matters;
- The ability to manage a law-related workload responsibly;
- The ability to cope with the stresses of legal practice; and
- The ability to pursue self-directed learning.

Equity



Students in examination hall. Photo: bibiphot/Shutterstock.com

NEWS

New ABA Data Shows Stark Contrast in Bar Pass Rates Among Racial Groups

White bar takers in 2020 had a first-time pass rate that was 22% higher than Black first-time takers.

June 22, 2021 at 03:19 PM

🕒 4 minute read

Legal Education



Karen Sloan [→](#)

Equity

2021 BPQ Aggregate Data

	2018U	2019U	2020 FT
TOTAL Graduates	33,739	33,942	34,162
Total Takers	32,047	31,720	29,531
Total Passers	28,839	27,767	24,463
Total Pass Rate	90%	88%	83%
Diploma Privilege	345	352	1,501
Pass % + DP	90%	88%	84%
Ethnicity Data includes DP			
White	93%	91%	88%
Black	79%	75%	66%
Hispanic	84%	80%	76%
Asian	88%	84%	80%
Native American	86%	87%	78%
Hawaiian	71%	79%	78%
Non-Residents	90%	86%	86%
Race Unknown	89%	88%	84%
2 or more	88%	84%	82%

2020 BPQ Aggregate Data

	2017U	2018U	2019 FT
White	92%	90%	85%
Black	75%	71%	61%
Hispanic	82%	75%	69%
Asian	87%	86%	74%
Native American	83%	82%	72%
Hawaiian	84%	68%	71%
Non-Residents	84%	94%	79%
Race Unknown	90%	88%	79%
2 or more	88%	83%	74%

On June 18, 2021, the Task Force issues its first report recommending “immediate adoption of the Oregon Experiential Pathway and the Supervised Practice Pathway models as alternatives to the bar exam.”



Justice Building in Salem, which houses the Oregon Supreme Court and the Oregon Court of Appeals. Credit: Rex Wholster/Shutterstock

NEWS

Oregon Becomes First State to Weigh Permanent Bar Exam Alternatives Following Pandemic Upheaval

A proposal now under consideration by the state high court would give law graduates three options for gaining licensure in Oregon.

June 30, 2021 at 03:40 PM

7 minute read

Legal Education



Karen Sloan

Oregon may drop bar exam requirement, add options for new lawyers – a rarity

Updated: Jun. 30, 2021, 8:56 a.m. | Published: Jun. 30, 2021, 6:29 a.m.

LEGAL EDUCATION

State supreme court asked to consider new licensure paths for lawyers

BY STEPHANIE FRANCIS WARD

JULY 1, 2021, 12:52 PM CDT

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The court opened the report up to public comment

- From July 7 through August 27, 2021, the court sought public comment on the report;
- The court received more than thirty pages of public comments;
- After the close of the public comment period, the court on September 2, 2021, issued five questions to the ATE and sought a response by December 1.

On January 13th, 2022, the Oregon Supreme Court unanimously approved “in concept” two new alternative pathways to attorney licensure



Oregon Supreme Court opens door for alternatives to bar exam

January 13, 2022



"I anticipate these two pathways will be more rigorous than the current bar exam," said Brian Gallini, dean of the Willamette University College of Law.



newsweek.com

Oregon closer to becoming third state to allow would-be lawyers to skip bar exam...
"I anticipate these two pathways will be more rigorous than the current bar exam," said Brian Gallini, dean of the Willamette University College of Law.

In The News

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Oregon advances alternative routes to becoming a licensed lawyer



By Meerah Powell (OPB)

Jan. 17, 2022 6 a.m. Updated: Jan. 18, 2022 11:35 a.m.

The Oregon Supreme Court last week unanimously supported next steps toward alternative pathways for attorney licensure

Oregon moves closer to a bar exam alternative

By Karen Sloan

Part 4: The OEP (in brief)

OEP Overview



- 2L and 3L years focused on experiential learning and courses critical for practice
 - Curriculum to be developed between the BBX and Oregon law schools
 - Key components:
 - Mix of guided experiential learning (clinics, simulation learning courses, or externships)
 - Practice-based courses like evidence, ethics, administrative law, statutory interpretation, criminal procedure, etc
- Portfolio work produced throughout 2L and 3L year
 - Feedback from BBX allows for course correction if applicant is not meeting standards
 - Simulated real world work samples allow a true assessment of competence to practice
- Following a ramp up period, open to all students who opt in
- Permit out-of-state schools to apply once program is up and running

Discussion?