

From: Administration <administration@nesl.edu>
Date: January 13, 2013, 10:41:39 AM EST
To: All Students <AllStudents@nesl.edu>
Subject: From Chairman Foster: Boston Globe article

An article appeared in today's *Boston Globe* that criticizes Dean O'Brien and our law school. We have every confidence in the quality of our students and the education we offer, as measured by our bar passage rates, the excellence of our faculty, and the positive comments we receive from employers about our graduates' preparedness for the practice of law. It has been Dean O'Brien's direction over more than two decades that has elevated our programs and national profile, and he continues to have our respect and gratitude for all that he has accomplished.

I want to provide you with information to put the *Globe's* claims in context.

- New England Law | Boston offers an outstanding education. The effectiveness of our approach is apparent in our bar pass rates, which have climbed over the past decade from an average of just above 70% to an average for the most recent three years of 90%. Our scores now exceed those of many of our peer schools.
- Recent New England Law graduates have accepted jobs in a variety of positions ranging from traditional law firm associates to work in government, business, and public service. Of the Class of 2011 (the most recent confirmed statistics), 62.8% of identified graduates obtained employment within nine months of graduation that either required bar passage or in which legal training was an important qualification. As you undoubtedly know, the current economic climate is the most challenging one since the 1990–1991 recession. Although the article implies otherwise, those of us in legal education recognize that graduates of most schools will have to work hard to find satisfying employment. But given the nation's economic problems, nearly all current law graduates are experiencing this; our employment statistics at New England Law continue to be similar to those at numerous other law schools, such as American University, New York Law School, Pace, and Suffolk.
- I want to assure you that Dean O'Brien, the board, and our faculty and staff are acutely aware of the difficulties that our current graduates face in entering the job market. We have added new programs through the Career Services Office to create additional opportunities for students. The CSO offers an extensive series of services and presentations. In addition, we provide complimentary membership in the Boston Bar Association for our third- and fourth-year students. We are strongly committed to continuing to expand these offerings.
- The decision in 2007 to increase tuition resulted in a number of positive developments: 1) It has allowed us to increase merit scholarship funds by

approximately 250% (up to \$11 million this year); 2) It maintains our financial stability and keeps us debt-free; and 3) It gives us flexibility in making investments in infrastructure, technology, and other improvements, now and in the future. Even with this increase, our tuition has remained at the bottom end of a narrow range of tuition at other Boston law schools. Furthermore, as Dean O'Brien informed you earlier this week, there will be no increase in tuition for 2013-2014, and we will continue to be cognizant of the impact of future increases on our students.

- Our educational program has evolved substantially in response to student needs. We continue to add clinical placements because of student demand; we have increased the number of sections of simulation courses like Negotiation and Contract Drafting; we have recently created a highly successful Bar Preparation program; and over the years, we have initiated innovative practice-oriented courses like Wrongful Convictions, Criminal Advocacy, and Law Practice Management.
- Exposing our students to the views and experiences of highly regarded jurists and leaders in the law – including Supreme Court Justices – is also an important part of the educational experience at New England Law. Their presence here also helps raise the school's stature and name recognition among both prospective applicants and employers. I want to note that these individuals are never compensated for speaking engagements.
- You are aware that the size of this year's first-year class increased. The increase was not planned and was unexpected; more students than we anticipated accepted our offers of enrollment. We are taking steps to ensure that next year's entering class will return to our typical size or smaller.
- The board and I feel strongly that Dean O'Brien is compensated appropriately. His compensation, which was arrived at after consultation with an independent expert, reflects his more than 24-year tenure as dean (the longest continuously serving dean at any law school in the country) and the dedicated leadership that he provides for all areas of the law school's operation. As the dean of an independent law school, with no university affiliation, Dean O'Brien functions as both dean and CEO of New England Law. His responsibilities include overall strategic direction, investment decisions, and creation and oversight of administrative departments like security, facilities, IT, and student services, all of which would be managed by the university for an affiliated law school. Under his leadership, the school has not only maintained financial stability and developed a professional administrative structure, it has achieved a greatly improved bar pass rate and has significantly enhanced its educational program. In addition, Dean O'Brien's work with the American Bar Association at the highest levels has guided and improved legal education and gained nationwide recognition for our law school.

These are clearly times of difficult transition for the law profession and for legal

education. Substantial planning by the board, faculty, and staff is already underway to address these challenges, with particular emphasis on the area of employment. At the same time, Dean O'Brien, the board, and I remain unabashed champions for our law school and for legal education. This is why Dean O'Brien spoke to the reporter personally about these issues. I wanted to convey these key facts directly to you as well.

Please be assured that the board recognizes that our students invest precious resources – both time and money – in their legal education. It is our responsibility to make sure those resources are used well to ensure that the education we offer is of the highest quality. We also refuse to be defined by national rankings organizations that do not set foot on campus. They cannot possibly assess the quality of our students or the education we offer from a series of abstract metrics. We are confident of the value of the education at New England Law and that it will position you to pursue a successful career.

If you have questions or comments, please e-mail administration@nesl.edu.

Martin C. Foster '80
Chairman, Board of Trustees