

ESTABLISHMENT OF A MASTER OF STUDIES IN LAW DEGREE PROGRAM

Recommendation

It is recommended that the Board of Governors establish a Master of Studies in Law degree program in the Law School, effective Fall 2020.

Background

Law schools have traditionally prepared their students to enter the practice of law through a rigorous, three-year program of legal education leading to the J.D. degree. But times have changed. Starting a decade or more ago, consumers of legal services have been seeking ways to lower their costs of acquiring the needed services. Some larger consumers are relying more on in-house counsel, and law firms have responded by offering non-traditional pricing plans.

Consistent with this trend is the growth in law school programs that offer master's degrees aimed at students who do not have, and do not wish to acquire, a J.D. degree. Law schools first began offering these degrees in the late 1990s and early 2000s. Many more schools have begun offering the degree within the past few years. Currently about 80 law schools offer the degree.

The primary pool of prospective M.S.L. students consists of working professionals who could do their job better, or could get a better job in their profession or pivot to a new type of position, if they had some legal training, but who are not interested in practicing law or in devoting three years of full-time study to acquiring a J.D. degree. The knowledge that an M.S.L. degree program conveys might benefit a working professional by enabling her to spot legal issues and bring them to the attention of company management or counsel and thereby help the employer avoid legal jeopardy. Completing the program might add new skills, such as dispute resolution, that would enable the employee to take on additional roles within the organization. An M.S.L. holder might be able to draft text that a lawyer for the organization could drop into a legal document, saving time and expense for the company. Knowledge of the law could assure that an HR employee does not make statements in emails or other discoverable material that could harm the employer. An employee who is trained in the law could interact more smoothly with in-house lawyers and serve more effectively as the company's contact with outside counsel.

The proposed program will further the Law School's mission. Our mission statement says that the Law School "provides legal education to a talented and diverse student body," "provides service to the community, the bench and the bar," and is "dedicated to advancing professional values and skills and to fostering a supportive environment for study and work." A degree program that aims at providing a specialized legal education to working professionals fits squarely within our mission. Providing legal education to non-lawyers promotes the rule of law no less than does preparing students to become members of the bar, and reaches a population that will otherwise never receive any systematic legal education.

Program Description

The objective of the program is to offer a legal education, with a corresponding credential, to working professionals whose careers could be enhanced in some way by the acquisition of that education, as well as to those whose efforts to enter some profession could be assisted by the same means.

We will initiate the degree program with a single concentration, in Human Resources, an area of the law that is of crucial concern to every employer and industry sector. We intend thereafter to expand the program by adding other areas of concentration.

The courses will be offered fully online. The most important advantage of an online program is that it greatly expands the pool of prospective students. M.S.L. students will principally be working professionals, and most of them, we expect, will work full time. An in-person program would limit our prospective students almost entirely to those who live within the Detroit metro area and are able to travel to campus at the times we offer our classes. An online program expands the geographical range of potential students at least to the entire state of Michigan, where our brand is known, and potentially to a national audience.

All of the courses offered in the M.S.L. program will be newly created, as the Law School does not currently offer any online courses. There will be no mixing of J.D. and M.S.L. students in these classes. This is because the characteristics and goals of the two student populations are very different. The teaching materials will be distinct—standard law casebooks will generally not be used for M.S.L. students. M.S.L. classes will place more emphasis on issue-spotting and real-world workplace issues, and less on analysis of appellate cases, as compared to J.D. classes.

We may seek to cross-list courses with other units at the University. The School of Business would seem to be a good fit for courses on human resources management.

Admission Requirements

To be eligible for admission an applicant must hold a bachelor's degree from an accredited college or university, with a grade point average of at least 2.75. Applicants must submit at least one letter of recommendation and a personal statement. At the program director's discretion, a video interview may be required. An applicant who is not a native English speaker must demonstrate English language competency by achieving a TOEFL score of at least 100.

Graduation Requirements

To graduate, a student must successfully complete twelve credits of core courses and eighteen credits of concentration-specific courses with a cumulative grade point average of at least 3.0. A course is successfully completed if a student receives a grade of C or above. The program director may allow a student to retake up to three courses in which the student received a grade below a C. The degree requirements must be completed within six years.

Program Administration

The Law School's Director of Non-J.D. Programs will administer the M.S.L. program. A faculty director, who is a member of the full-time faculty and appointed by the dean of the Law School, will oversee the academic aspects of the program. An Advisory Board, consisting of lawyers and human resource professionals who are knowledgeable in the program's subject matter, has been assembled to serve in an advisory capacity.

Budget and Resource Requirements

The Law School currently offers a J.D. program and an LL.M. program (with four alternative LL.M. degrees) and partners with several other units to provide a minor in law. The existing facilities and secretarial support for those programs will suffice for the M.S.L. A full-time administrator has been hired to manage the non-J.D. programs, including the M.S.L., and a full-time faculty member will devote part of his time to overseeing the academic aspects of the program. We expect that the core courses will be taught by full-time faculty, and most or all of the specialized courses by part-time faculty. No additional full-time faculty will be needed, and part-time faculty will be hired as required. Start-up costs have been covered with one-time funds; the ongoing source of revenue will be student tuition.

Accreditation

Once the Board of Governors approves the program, we will seek acquiescence from the American Bar Association (“ABA”). The ABA approves law schools’ J.D. programs—Wayne Law is of course approved—but it does not approve law school programs other than the J.D. Instead, it “acquiesces” in such programs. ABA acquiescence requires a showing that the new program will not “detract from” the school’s ability to remain in compliance with the rules that law schools must comply with to retain their ABA approval. We do not anticipate any difficulty in obtaining the ABA’s acquiescence in the M.S.L. program.

Approvals

The M.S.L. program has been approved by the Law School faculty, Dean of the Law School, the Graduate Council, and the Provost.