

April 1, 2021

Meeting called to order at 5:37 pm.

Roll call at 5:38

- Minutes from March 5 moved by David and seconded by me. Minutes approved unanimously.
- **Manuella report out:** [student perspective on Daniel Webster Program]
 - She talked to 7 students recommended by Dean Brooks. She asked a series of questions. Many people enrolled in the program because they wanted real world experience. The pro is that they had a lot of experiential learning and had growth opportunity. They felt like they built a strong community with others. They bond quickly. The cons are that they felt restricted by the classes they take. Another con is that the program is a lot of work. Students felt like there was a lot of busy work. They talk to their assigned bar examiner on an inconsistent basis. Some take the bar but others don't.
 - All of them said that they felt like the program helped them become an attorney though they said they wished they could expand the classes they could take. Some classes they felt merited different credit allocations. Students should know that this is a lot of work.
 - There was some additional discussion about whether they could combine pro bono work. This to some degree an issue because it informs what students want in terms of diversifying the course offerings.
 - Some do not apply to the program because they might not want to apply to the program. There is definitely a community within the scholar program and a community outside the program.
 - Manuella was a bit worried about the Webster program as structure would be overly exclusive and may not successfully diversity the bar.
 - The retention rates are very high for this particular program.
- **Tony report out:** [regulator perspective]
 - They tried to design the program to be formative and transformative to how we assess law. They wanted to move forward students who have experience with clients. They could see the possibility of starting earlier – the program starts in the 2L year.
 - They get assigned their professors who are in their courses and the professors get rubrics, which are very simple in terms of how they grade. It simply rates “on track” or “not on track.” Then the further students go, the rubric is “exceeds,” “meets,” etc. It's more straightforward than Tony would have guessed. The grader is assigned to particular students for a full two years. Their load of students is somewhere between 5-6 candidates across the two years. There is a formal meeting at the end of each semester (fall 2L).

Graders spend 3-4 hours reviewing portfolios and then they spend another hour meeting with each candidate providing feedback.

- Some graders provide more or less time but the official requirement is that the grader review the examinee's portfolio every semester. After the first semester, it's a reduced workload - 2 hours of review and a half hour of feedback to the candidate.
- Some of the challenges are in the variability in the degree of support provided.
- Graders felt like there was not as much structure as there could be. For instance, professors had rubrics they were using on their own. There is some discussion about a unified rubric for the graders in order to provide consistency. A couple of the graders mentioned that the students felt a little divided from the broader student body.
- Tony would recommend putting the effort in up front to get things setup and have the guidance for the examiners in place. That may make it also easier on the candidates.
- **Peter report out:** [rules of admission]
 - He spoke to Courtney Brooks, the current director and two alums who also happen to be bar examiners. Rules for admission are at 1.2 for UNH. Feedback is that it's a rule that's covered in the Webster program. It's a very simulated environment. They also of course still have to sit for the MPRE.
 - The program also addresses 1.25a by having certain optional classes now be required; e.g., any discretionary upper-level bar classes become required and you're required to have a 2.70 for each class and cumulative must be a 3.0.
 - 1.25b - it lines up well with McCray skills with legal reasoning & analysis. That's covered a lot by the program if you look at the syllabi for the classes, there are tasks associated with the classes that demonstrate what skills are being built.
 - Everything else down to deadlines and time constraints is addressed - e.g., you're in simulated court and then a new fact comes up.
 - Peter thought the program covered the admission requirements well. He asked if there were things they would change or adjust but the director did not offer any weaknesses. There is a consistency development piece that seemingly needs to happen.
- **Brian report out:** [decanal perspective]
 - Brian spoke to Megan Carpenter, Dean at UNH. She would want to scale the Daniel Webster program. It relies on dozens of volunteers throughout the course of the year. There are many local attorneys who participate, the Supreme Court is engaged in participating with the students. There is a deep civic engagement with the school.

- No one is contractually obligated to do anything so she worries about the durability of the program.
 - She wishes they could expand it in number and in subject area. It is intensely designed for a litigation focus; they would have to separately design a transactional program.
 - There is a grade requirement. There has been very little attrition in the program. The students receive conditional admission at the time of matriculation. Specifically, they are offered conditional admission into the program into the DWS program and then they formally apply at the end of the 1L year.
 - It really is an honors program. It is capped at 25 is the max.
 - There is a director of the DWS program - it's a faculty member who teaches a full load and then does. Her main job is to run the program. She has a version of "alternative long term security" which is long-term contract.
 - The curricular roadmap is clearly laid out and there is not a lot of flexibility for electives. It's very experiential is the end product - they go through litigation. They go through a two-year process - and then they do their oral arguments before the state supreme court.
 - The DWS grads are highly coveted as junior associates. The vast majority of their DWS scholars do stay in-state but many leave. They are so integrated into the bar by the time they leave. They are a part of the system by the time they graduate. About 75% come from out of state and more than half stay in state. The experiential learning opportunities integrate them into the community. By the time they're graduating, they have had 3-4 experiences working regionally here. A program like this shifts the center of gravity where students establish their lives.
 - So much of the program is run by volunteers. It's just the one position and an admin that works half time. Their BBX manages the process. There are specific set of DWS bar examiners who volunteer just to supervise those grads.
- Troy follow-up comment: Bar graders do not both grade bar exams AND participate in DWS. It's one or the other in NH.
 - **Rebecca report out:** [school perspective]
 - Talked to Jon Garvey and just retired after 15 years with the program. The DWS students were outpacing students who passed the bar in the early years. This is truly a program that relies on a community.
 - They really leaned into delivering tough subject matter to prepare the students for challenging content. They wanted to help students be ready for challenging clients and clients who have experienced a trauma.

- There was creation of an advisory committee, which was appointed by the State Supreme Court. They meet quarterly. That was a way to create buzz and buy-in. The program needs a champion at the beginning. It was approved as a three-year pilot but he needed a champion and back then he had the CJ buy in. He also had participation from the community to change the narrative - “these folks took a two year bar exam rather than a two day bar exam.”
- The most valuable feedback they get is that students are so appreciative of the portfolio experience they got once they are out in practice.
- He thought there might be one school as the pilot to then build on. The thing that’s key is that it required investment from a lot of different stakeholders and something they would want to volunteer for. Prof. Garvey is mediating full time and he’s still very excited about the program. He is happy to talk to our group if helpful. What’s clear is that if you’re going to run a program like this, it’s going to need a director.
- **David report out:** [employer perspective]
 - Talked to Scott O’Connell, partner at Nixon Peabody. He’s a NY trained lawyer. Worked in a New York office w/ a NH satellite office. He has a nationwide, sophisticated commercial litigation practice.
 - His predisposition is to hire people with externships and real life experience (tended to hire from Northeastern). One semester in class/one semester in externship. He liked that practical experience.
 - He now hires from Daniel Webster’s: Very confident relying on them in litigation; confident, competent, deep thinkers; they are curating who can go into the program (thinks curation includes a DEI lens); DEI important in law schools, among employers and law schools; His former partner became the chief justice who was the person; NH is a satellite market of Boston. They would end up having to take another bar.
- **Chase report out:** [volunteer perspective]
 - Talked with Bruce Fenley. Managing partner. Works as a volunteer within the program for the last 15 years.
 - His goal as a volunteer is not to be a mentor to these students. He is reading their files, going through their client interviews/depos, etc. He is there to make sure they are taking it seriously.
 - Everyone is working hard to ensure success. This program relies very heavily on volunteers. It might be difficult to manage from a larger perspective because it does rely so heavily on volunteers.
 - As an employer, he likes the program; people are well-prepared and more practice ready than average entry-level grads.

- From student standpoint, good return on investment. This latest round of recruiting, they hired 4 associates. 3 of them come this Honors program.
 - NH employers can hire from the program knowing students want to stay and practice in NH. Doesn't present usual risk of hiring a new associate and having them leave for Boston as soon as they get another offer.
 - These students are in it because they want a challenge. This isn't for folks seeking to avoid work and rigor
- **Next steps:**
 - We will have two more meetings. Troy will circulate a Doodle poll.
 - We should have our report finalized the week of May 17.
 - Before our next meeting, each committee member should craft a pro/con list and a list of suggestions related to the program before we meet again.
 - Our next meeting will focus on where we see consistencies across the group and where we see one-offs
 - We will agree on our collective pro/con list along with suggestions
 - We then need to identify volunteer writers to put together our draft report
 - The second meeting will be a review of the draft report. We will give collective feedback and make any final changes.
 - The volunteer writers will put the report into final form based on that discussion.
 - Troy's Suggestion: Devote one page for each perspective/attribute of this model; Bullet point pro/con lists with a paragraph summary