

new functions or new programs; or consolidate, discontinue or transfer existing functions, educational activities and programs; and may, after public hearing and submission of a written report to the clerks of the house of representatives and the senate, by a two-thirds vote of the full membership of the board, consolidate, discontinue, or transfer divisions, schools, stations, colleges, branches or institutions as it deems advisable.

5.(t). develop and implement a transfer compact for the purpose of facilitating and fostering the transfer of students without the loss of academic credit or standing from one \* \* \* institution to another.

5.(u). shall establish an affirmative action policy and implement a program necessary to assure conformance with such policy throughout the system.

#### Remedies

##### *First Option for Remediation*

1. A Commonwealth of Massachusetts Legislative Act designed to: (Following St. George's Medical School (Grenada) model).

a. Award Juris Doctor degrees to the eligible Commonwealth School of Law seniors who completed the eighty-four (84) credit hour requirements for graduation and certify the class to take the Massachusetts Bar examination.

b. Arrange to place all other students in a Commonwealth of Massachusetts accredited law school, such as Southern New England School of Law, allowing credits earned to be protected, transferred, and remain intact.

2. Legislative action authorizing the judiciary to allow bona fide graduates of Commonwealth School of Law and/or Southern New England School of Law to apply for admission to the Massachusetts Bar.

##### *Second Option for Remediation*

1. Enroll all Commonwealth School of Law students in a Commonwealth of Massachusetts accredited law school, such as Southern New England School of Law:

a. Require those Commonwealth School of Law students who completed in excess of eighty-four (84) credits to complete no more than six (6) additional credits at a cost not to exceed \$3,000 and be awarded the Juris Doctor degree at the end of the study semester.

b. Enroll all other Commonwealth School of Law students in the same institution without loss of credits earned.

2. Legislative action authorizing the judiciary to allow bona fide graduates of Commonwealth School of Law and/or Southern New England School of Law to apply for admission to the Massachusetts Bar.

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July 10, 1995.

Hon. Joel Klein, Esq.,  
*Deputy Assistant Attorney General, Antitrust  
Division, U.S. Department of Justice,  
Washington, D.C.*

Dear Mr. Klein: This letter is prompted by the article, "ABA Settles Antitrust Case Over Certifying Law Schools," THE WASHINGTON POST (June 28, 1995), page A2.

I wish to commend you and the Department for your action in this matter. As a former law professor (Georgetown, Indiana; see enclosed resume) who, during the period 1974-1984, was actively engaged in an attempt to start a new law school, I was very familiar with the American Bar Association's "standards" of accreditation and the persons they used to enforce them.

Based on personal experience, as well as conversations with other legal educators who dealt with the ABA during those years, I can confidently state that the Justice Department's position is entirely correct. In my opinion, many of the "standards" were irrelevant to quality legal education; they were in some cases vague; and often they were applied arbitrarily.

Had resources been available, others would have brought the antitrust suit before Dean Lawrence Velvel finally did. What concerns me, however, is the quote from George Bushnell not admitting even a molehill of fault when the record, if properly built, should be a mountain of evidence that Dean Velvel is entirely correct. My hunch is that ABA being dragged "kicking and screaming" into admitting the abuse, will resist real change.

I could provide some additional insight, if you wish it, into the mentality of the ABA accreditation people during the period mentioned. If you would like to have a short meeting, just give me a call.

Very truly yours,

William A. Stanmeyer

*Curriculum Vitae: WILLIAM A.*

*STANMEYER, ESQ.*

##### *Education:*

A.B., 1956, *magna cum laude*; M.A.,  
Philosophy, 1962; Graduate Study,  
Northwestern University, 1962; J.D.,  
DePaul University College of Law, 1966.

##### *Legal Activities and Associations:*

Admitted, Illinois Bar, 1966; Virginia Bar,  
1980

Private Practice of Law, Illinois, 1966-68  
Associate Professor of Law, Georgetown  
University Law Center, 1968-72  
Arbitrator, American Arbitration  
Association, 1972-1995

Associate Professor of Law [tenured],  
Indiana University School of Law, 1974-  
80

President, Lincoln Center for Legal Studies,  
1980-85

Private Practice of Law, Virginia, 1985 to  
present, Wills, Trusts, Family  
Partnerships

##### *Civic and Other Professional Activities:*

American Bar Association: Member,  
Special Committee on Youth Education  
for Citizenship, 1970-73; Consultant,  
Criminal Law Section, 1970-72

Public Lectures: at major universities,  
including Harvard, Univ. of Cincinnati,  
Notre Dame

Virginia Bar Association: Member since  
1980

Consultant, fields of Business  
Development, Financial Analysis,  
Income Diversification

*Administrative, Fund-Raising Experience:*  
Managed numerous Institutes and  
educational projects raised over  
\$1,000,000 for various education  
programs

*Publications:*  
Two Books

Over twenty scholarly articles, in the Law  
Reviews of such law schools as: George  
Washington, Indiana University, and  
Hastings College of Law

Numerous serious "op ed" pieces, in such  
newspapers as: the Miami Herald, the  
Chicago Tribune

##### *Family and Personal:*

Married to the former Judith Ann

Heitzmann of Chicago

Five children, ages 15 to 26

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5227

August 26.

Mr. Klein: Congratulations on the ABA  
Consent Degree! It has been long overdue.  
Two points, however, need to be made: (1)—  
The reporting requirement for Jim White to  
Bob Stein is ineffective \* \* \* simply because  
Stein & White are close friends and there  
will, thus, be little real supervision of White  
\* \* \* he will do what he wants to. (2). You  
should take a special look at White's  
relationship with Indiana University. Here is  
a real conflict of interest \* \* \* he is listed  
as a Professor of Law—supposedly with half  
of his salary coming from the Law School  
\* \* \* but he has not taught in over 20 years  
and, his whole salary, came from the Law  
School budget until the then-Dean, William  
Harvey, put his foot down and stopped this.  
It is speculated that the Law school now pays  
for White's University salary totally. Doesn't  
it seem odd that an educational unit that  
profits from the accrediting agency is running  
the show? Why not let the ABA, itself, pay  
for all of White's salary?? Jerry Bepko, the IU-  
Indianapolis Chancellor, has had a sweet-  
heart arrangement with White for years!  
Please investigate these two points and  
maybe amend the Consent Degree \* \* \*

Thanks

4 Concerned Lawyers

Frederick L. Judd, Attorney at Law, (714)  
852-1000 X257, (714) 261-5481 (fax)

2181 Dupont Drive, Irvine, CA 92715

September 5, 1995.

Mr. John Greaney,

*Computers and Finance Section, U.S.  
Department of Justice, Antitrust Division,  
555 4th Street N.W., Room 9903,  
Washington, DC 20001*

Response to proposed Final Judgment in  
United States of America v. American  
Bar Association