



University of Colorado **Boulder**

2022 Program Review

University of Colorado Law School

Academic Review and Planning Advisory
Committee Report

Approved

DocuSigned by:

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Provost and Executive Vice Chancellor for Academic Affairs | Date

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Process Overview

The Academic Review and Planning Advisory Committee (ARPAC) review of the University of Colorado Law School (that also goes by Colorado Law) was conducted in accordance with the 2022 program review guidelines. Self-study responses were prepared by the unit and checked by two ARPAC members specifically assigned as liaisons to the unit, as part of the discovery process. The ARPAC unit liaisons submitted a summary of findings derived from the self-study and from interviews and/or surveys with faculty, staff, and student unit members. An external review committee (ERC), consisting of two experts from outside of the University of Colorado Boulder, engaged in a virtual visit and submitted a report based upon review of relevant documents and meetings with faculty, staff, and student unit members and university administrators. ARPAC staff, using web conferencing tools, facilitated the external review as a remote visit over March 31 and April 1, 2022. ARPAC reviewed and considered these materials, met with the dean, and wrote this report. Discovery process summary and external reviewer comments and recommendations are shared when relevant throughout this report.

Past Reviews

ARPAC last reviewed the law school in 2014, recommending that the school sustain its efforts in recruitment and retention of students and faculty from underrepresented ¹groups; develop a suitable governance structure; clarify expectations and ensure its tenure, reappointment, and promotion standards are consistent with university rules; and integrate the unit further into campus activities. The law school took concrete steps to address these recommendations and implemented initiatives and changes to improve its governance, culture, faculty and student recruitment and retention strategies, tenure and promotion review standards, and mentoring programs for faculty.

Unit Overview and Analysis

The Office of Data Analytics (ODA) provides a standardized description of the Law School, available on the [website](#). ODA updates the profile annually in the fall semester. This report cites data posted in October 2021, reflecting the state of the Law School as of the academic year (AY) 2020-2021. Additional information obtained from the unit self-study, the ARPAC discovery process, and the external review report is also cited where relevant.

Disciplinary Context

Colorado Law is a well-respected unit on the CU Boulder campus with a vigorous dedication to legal education, robust scholarship, and public service. The law school serves both the legal community and the general public throughout Colorado and the nation through a diverse range of programs. In addition to its vibrant community of scholars and students, its renowned legal centers, and its clinical programs, the self-study notes that the unit as the only public law school in the state of Colorado, a distinction it faithfully honors in its teaching, research, and outreach missions. To borrow from the self-study: “The Law School also serves public communities beyond the University’s gates.” The school’s public mission has been undiminished, despite considerable funding challenges, including the decline of public funding for the school in recent decades.

¹ ARPAC notes that it can sometimes be complicated to have consistent, shared terminology for protected class identity groups. In the context of this report, we use the term “underrepresented” to refer to individuals or groups that have been historically marginalized or minoritized within U.S. higher education. Although national data sources often use the term “underrepresented minority (URM)” to combine people who are Black, Latine, and Native American, ARPAC acknowledges that the term “minority” is contested and diminishing.

The law school hired a new dean in 2021, the first Black and second woman dean in the school's 130-year history. The external reviewers described this appointment as a "historic" and "exciting" hire and that it was "widely celebrated in legal education." They also noted that this was the dean's first year and that "she comes to the University as an 'outside dean,'" which will require some time to become familiar with a new state, new university, and new law school. As of this writing, the dean already has instituted changes to the administrative and leadership structure of the school, including shifting and realigning key administrative responsibilities and positions.

In 2015, the American Bar Association reaccredited the law school. Findings from the accreditation report praised the school's depth in teaching and scholarship but highlighted challenges threatening to weaken the law school's mission, such as high tuition, declining public funds, and student diversity.

The previous ARPAC report stressed the importance of continued efforts to recruit and retain students from underrepresented populations. The 2022 self-study reports that 32 percent of the class of 2024 identify as people of color and 55 percent as women. Those percentages for the class of 2023 were 36 percent and 49 percent respectively. The law school continues to work with the Admissions Office and to build relationships with various organizations to recruit students from underrepresented populations.

Research and Scholarship

The faculty of Colorado Law are a well-recognized group of scholars who conduct research, publish, and present at conferences and workshops in a variety of areas of legal specialization and in other disciplines. The self-study notes that Colorado Law ranked 33rd according to a 2021 study that looked at the scholarly impact of law faculties based on law journal citations over the past five years. The school prefers to mention this study as a better reflection of the scholarly performance of their faculty than the lower *U.S. News and World Report* ranking (2022) of law schools, which ranks Colorado at 48th among 197 schools. The school's environmental law program ranks in the top 10 of all such programs, according to *U.S. News* (2020).

Colorado Law faculty members produce scholarship across a wide range of legal subjects and specialized legal focal areas like environmental law. They publish in a large pool of well-respected, peer-reviewed publications, student-led journals, and popular presses.

Colorado Law distinguishes itself from other law schools by its longstanding emphasis on creativity and novelty in legal research. The self-study describes faculty members who are "more likely to achieve positive recognition for novel approaches and minority viewpoints than perhaps elsewhere in the academy." Similarly, Colorado Law values interdisciplinarity in its scholarly approaches and methodologies as the faculty's research engages with various fields such as Native American Studies, Energy, and Climate Change.

Colorado Law is also distinguished by its vibrant research centers, which serve both the research and teaching missions of the unit. External reviewers devote a long section of their report to the excellent reputation of these centers, praising the uniqueness of their programs and their wide influence in the legal academy. To quote the self-study: "...these centers are truly special in their quality and endurance, and they add measurably to the luster of the Law School."

The school also offers students many opportunities for experiential learning through legal clinics that support a variety of sub-fields. According to the self-study, many faculty are involved in clinic teaching. Impressively, approximately 70 percent of Colorado Law students participate in a clinic.

In addition to producing legal research, Law faculty members are also involved in public scholarship and outreach initiatives. The Byron R. White Center for the Study of American Constitutional Law, for example, organizes the Marshall-Brennan Constitutional Literacy Project and the Colorado Law Constitution Day Project, which connects law students with public school teachers in underserved communities to teach a course about the US Constitution and the Bill of Rights. The Getches-Wilkinson Center for Natural Resources, Energy, and the Environment develops projects involving students, scholars, practicing attorneys, non-profit organizations, tribal leaders, business leaders, government representatives, and the general public to address pressing issues related to energy, natural resources, and the environment. The Silicon Flatirons Center for Law, Technology, and Entrepreneurship is particularly noted for its public service efforts connecting students, scholars, and policymakers to work on important technology policy issues.

Collaborations

The self-study describes the law school's strong commitment to collaborative work outside of CU Boulder. Faculty members, and the research centers they lead, are involved in a number of collaborative projects in Colorado, nationally, and globally. Noteworthy engagements include the Korey Wise Innocence Project (a partnership with the Colorado Bureau of Investigation to review cases of currently incarcerated people in Colorado prisons), a collaboration with the United Arab Emirates University College of Law around issues of artificial intelligence, and the Maya Land Rights and Development Project (which works with Belizean indigenous organizations to secure public land and promote sustainable economic development).

In contrast, the school's cross-campus collaborations appear to be modest - the law school, generally speaking, functions as an entity unto itself. Although some of its centers do engage with the rest of the campus, there are few meaningful collaborations with other units. The school's joint degree program with the business school attracts only modest enrollments. Nor does the school engage undergraduates in its curriculum. As CU Boulder's academic units are challenged to consider their revenue streams, it might be useful for law to consider new and revitalized cross-campus collaborations.

Campus Context

Colorado Law offers three degree programs and several certificate programs. Beyond the traditional Juris Doctor (JD) degree, the law school also offers a Master of Laws (LLM) degree program, and a Master of Studies in Law (MSL) program. Additionally, students can pursue dual degrees and/or certificates. Degrees that may be earned in combination with a JD include the following:

- MBA from Leeds Graduate School of Business Administration
- MPA from the CU Denver School of Public Affairs
- MS from the CU Boulder Environmental Studies Program
- MD from the CU Anschutz Graduate School of Medicine
- MURP from the CU Denver College of Architecture and Planning
- MS from the CU Boulder Technology, Cybersecurity and Policy Program

These collaborative programs demonstrate Colorado Law's commitment to interdisciplinary graduate and professional education. JD candidates also can earn certificates from the law school in the following areas:

- American Indian Law
- Juvenile and Family Law
- Entrepreneurial Law

- Energy, Environmental, and Natural Resources Law and Policy
- Health Law and Policy
- International Law
- Tax Emphasis

Regarding Colorado Law’s mission, the self-study states that “the Law School’s curriculum provides students with a comprehensive legal education – employing a solid foundation in the fundamentals of law, robust theoretical inquiry, doctrinal and policy analysis, real world experience, legal reasoning tools, and professional skills.”

Strategic Vision and Planning

The Law School is confronting a series of challenges. Concerns exist over student quality; competitive admissions pressures; faculty culture, recruiting, retention and compensation; external reputation; and a host of other issues.

It is not clear from the self-study if the law school has an active strategic plan. As such, now is a good time for the Law School to engage in a fundamental strategic planning effort driven by the new dean but engaging all constituencies. In 2013, the school issued the Colorado Law Action Plan, which included a number of visioning initiatives to guide its teaching and research mission and improve its governance structures. However, in discussion with the dean, ARPAC learned that the plan is no longer being implemented.

That 2013 plan laid out five goals and seven initiatives:

- Goals:
 - 1) Maintain an engaged, diverse, and inclusive community of outstanding students, faculty, staff, alumni, and friends who help and support one another as well as serve our communities;
 - 2) Provide our students with an excellent return on their investment—educating them and training them to be outstanding legal professionals;
 - 3) Develop a sustainable financial model that weathers the continued falloff in state support while minimizing any future tuition increases;
 - 4) Produce top scholarship and provide thought leadership that engages a variety of audiences, and addresses the contemporary issues of the profession and our communities;
 - 5) Communicate that Colorado Law is an outstanding and unique institution with a substantial potential for growth.
- Initiatives:
 - 1) Identify and recruit incoming students who are most likely to succeed by tightening admission standards;
 - 2) Recruit and retain faculty and staff who strive to be at the top of their field;
 - 3) Explore and expand innovative course offerings, teaching methodologies, and educational experiences that reflect changes in legal education and practice;
 - 4) Develop a series of external outreach and internal efforts to help graduates find jobs commensurate with their education and training;
 - 5) Manage current financial model after decline in state funding;
 - 6) Engage alumni, the legal profession, and the broader community more effectively;
 - 7) Maintain and build on the centers and specialty areas to recruit students and faculty.

The self-study notes that since the plan was issued, Colorado Law pursued the initiatives outlined above. Successes included a significant improvement in the number of student applications (3,700 applications

for Fall 2021), higher standards for admission, improving student diversity, expanding experiential learning opportunities, enhancing the work of its Career Development Office to provide students with connections with potential employers, and developing new revenue streams by expanding the scope of its legal education curriculum.

The dean has added a four-part vision that includes the following goals:

- Foster collaboration inside the law school, as well as between and among campus, city-wide, regional and statewide partners;
- Increase the law school’s national and international profile;
- Enhance technological offerings and access for students, and research opportunities for faculty; and
- Ensure that all endeavors are imbued with excellence and typified by both intellectual rigor and practical relevance.

In addition to these goals and initiatives, both the self-study and the external reviewers emphasize two primary concerns: 1) the modest size of the law faculty and slow pace of replenishment of lost faculty lines, and 2) perceived inequities among the legal clinics regarding issues related to workload, compensation, and governance. The external reviewers characterize these concerns as “long-simmering” issues at Colorado Law and advise that the school give consideration to the clinicians' concerns.

Another material issue raised in the ERC report relates to a perception that Colorado Law has a “fractious faculty.” This perception appears to be longstanding and also appears to exist both inside and outside of the school. It seems reasonable to think that these conditions adversely impact the school’s operations and reputation. New faculty recruiting, mentioned in the report, and comparatively low student yields are but two examples of areas that could be negatively affected by this dynamic. External perceptions of school quality go unremarked in the school's self-study and yet these matters significantly, including for US News rankings.

Governance

According to the law school bylaws, the dean manages the school’s day-to-day operations with a core group of staff and with faculty who hold leadership appointments. A cabinet meeting, held weekly, consists of the dean, three associate deans, and an assistant dean. The new dean has expanded the composition of the cabinet to include other staff members (assistant dean for admissions, the senior director of budget and finance, and the human resources director) who attend the meeting on a bi-monthly basis.

The school governance is also carried out with the help of nine standing committees and thirteen ad hoc committees made up of faculty, staff, and students. Where appropriate, governance matters are brought to the entire faculty for consideration.

The new dean has also called for shifting and realigning several key administrative positions and has requested an expansion in the number of reports directly working with her, notably, the director of marketing and communication and the human resources manager.

Colorado Law last updated its bylaws on May 4, 2021, with an emphasis on extending voting rights to non-tenure-track clinical faculty and library faculty except on questions of personnel. Despite these

changes, the self-study reports continuing tensions among these faculty members in relation to joining the tenure track, salary equity, and their status within the school. Although not mentioned directly, the external report references the same tension. The dean has responded to this tension by forming an exploratory Faculty Status Committee comprising non-tenure-track faculty to identify concerns and develop strategies on how to prioritize this group's goals.

Previous updates to the bylaws included changes to the structure and responsibilities of the Faculty Evaluation and Peer Review Committee, the inclusion of the assistant dean for diversity, equity, and inclusive excellence to all search committees to improve hiring practices, and changes to the meeting attendance requirements of the Policy, Management, and Budget Committee.

Colorado Law faculty have expressed concerns that the school's shared governance is insufficient, and this is reflected in general decision-making mechanisms. For example, faculty recently raised concerns regarding decisions to create institutes, centers, and other projects without seeking broader faculty input. Another example relates to an administrative decision to revise the bylaws preventing full-time students from working more than 20 hours per week and first-year students from working at all without permission from the school.

As stated in the self-study, the law school intends to depart from this practice by clarifying what constitutes "significant matters" and in turn seeking faculty approval for these more important school decisions. But more fundamentally, the issue appears to extend beyond a narrow issue of bylaws and instead relates more generally to the dean's leadership style. It appears that the faculty seek more chances to provide substantive input in the school's strategic direction.

Inclusive Excellence

Of the 63 law faculty, 19% identify as belonging to a racial/ethnic underrepresented group, and 51% identify as women. Among the 38 tenured and tenure-track (TTT) faculty, 15 identify as women (5 associates and 10 fulls), and 10 identify as part of an underrepresented group (1 assistant, 2 associates, and 7 fulls). Of the 25 non-TTT faculty members, 17 identify as women and 2 as underrepresented. The number of women faculty members has increased since the 2014 review from 25 (41%) to 32 (51%) across all groups, and the number of faculty from underrepresented groups has increased from 13 (21%) to 17 (27%).

In 2020, the school launched its Anti-Racism and Representation Initiative to address racism and enhance representation of people of color within the law school community and the legal profession. The initiative highlighted faculty recruiting and retention as the main areas to improve equity and diversity. The initiative requires that all faculty on search committees and voting faculty members complete the campus-required CU Faculty Diversity Search and Hiring Committee Guidance training. The initiative also provides search chairs with bias awareness training; identifies recruitment outlets to attract faculty from underrepresented groups; requires careful review of job descriptions, salaries, and start-up packages; and an annual review of the school's policies, practices, and procedures.

With respect to students, the law school has significantly improved its racial/ethnic and gender diversity since the last review in 2014. As noted earlier, the 2024 class of 172 students is one of the most diverse in the school's history with 32 percent of incoming students identifying as belonging to an underrepresented population and 55 percent as women. In 2023, 36 percent of incoming students identified as belonging to an underrepresented population and 49 percent as women; the proportions for the class of 2022 were 33 percent and 55 percent, respectively. These numbers suggest that the law school has made progress in improving its inclusivity and diversity since the 2014 review.

Unit Culture

As mentioned in the previous section, the law school has launched a number of initiatives to improve its culture and to confront racism, sexism, and other forms of discrimination that adversely affect the learning and working environment. Examples of progress include the recent Anti-Racism and Representation Initiative to combat racism, promote anti-racist pedagogy and curriculum, enhance recruitment policies, and improve conditions for students, faculty, and staff from underrepresented communities. In addition to encouraging faculty, students, and staff to complete the campus and workplace culture survey, the school conducted its own survey to assess its unit climate/culture and law students administered their own survey as well. Recently, law held a town hall meeting to discuss its culture inside the law school. Other initiatives include the creation of an office space for the newly formed Council for Racial Justice and Equity, the launch of a Commitment to Anti-Racism and Equity Pledge, the creation of an annual underrepresented and LGBTQIA+ dinner events attended by the dean, faculty, and staff, and the establishment of a Crossroads Critical Cultural Competency workshop for staff.

However, references to “culture” also can refer to the state of how people are interacting with one another and the general civility among members of the law school community. While the findings of the recent culture surveys reveal a generally positive context, concerns remain that the school's dean must address. Faculty continue to express the need for better career support/mentoring, better communication of performance and promotion evaluation criteria, and a more inclusive workplace. Students and staff also request a more inclusive environment and a better sense of school community. According to the self-study, the law school is undertaking some actions to address these concerns including setting up a mentoring program for junior and mid-career faculty and staff, holding informal and formal meetings with students to enhance a sense of community, and working closely with the Center for Teaching and Learning to organize workshops related to microaggressions, unconscious bias, and inclusive pedagogy.

As previously noted, based on the CWC survey results and their conversations with faculty member, the external reviewers found Colorado Law’s faculty “fractious”. If faculty members do not feel safe and supported during faculty discussions and meetings, it could be problematic for effective faculty governance. Incivility may have a negative effect on faculty job satisfaction, recruitment, and retention. The perception of a fractious faculty matters, not only internally, but as an external marker. For one, reputational assessment accounts for 40% of the US News ranking score. Moreover, a poor reputation can directly impact faculty retention and student recruitment.

Faculty and Research Personnel

According to the Office of Data Analytics (ODA) profile for AY 2020-2021, faculty personnel in the law school consisted of 35 tenured and tenure-track (TTT) faculty, 18 instructor-track faculty, and 12 other instructional personnel.

According to the self-study, the total number of law faculty is 63 (2 less than mentioned in ODA’s unit profile), including 35 TTT faculty members, down from 40 less than 10 years ago. Library faculty, legal writing professors, clinical professors, and instructors make up the other 28 faculty. In the last decade, law has lost 10 faculty to retirement (with two more planned) and 12 faculty to other schools or government service. Included in this total are faculty members who identified themselves as belonging to an underrepresented population. Their departure has negatively impacted the school’s diversity efforts. The pace of replenishment at the TTT level has been slow. Since AY 2018-19, law has hired four

tenure-track faculty members. Law currently has only three untenured TTT faculty, and the plan is to prioritize hiring more colleagues at the junior level, if the resources become available. Both the self-study and external reviewers indicate an urgent need to increase the size of the TTT faculty to enhance curricular offerings for students and improve the school's academic profile.

Law reports stiff competition from other schools and cites the high cost of living in Boulder as a recruiting challenge. The external reviewers note that this is a problem that “connects to issues of faculty and staff morale.” The self-study reports that the salaries of the school's TTT faculty are low compared to peer schools. ODA data back this up, especially in comparing full professor salaries to the school's AAU peers. As law faces a significant retirement turnover, these challenges make it harder to recruit and retain strong faculty.

According to its self-study, law recognizes it must “first collectively identify its hiring priorities” based on student interests, curricular needs, and faculty diversity. The school has identified a number of areas in which it seeks both pedagogical and scholarly reinforcement or innovation, including in its existing research centers and in new fields of legal education and research.

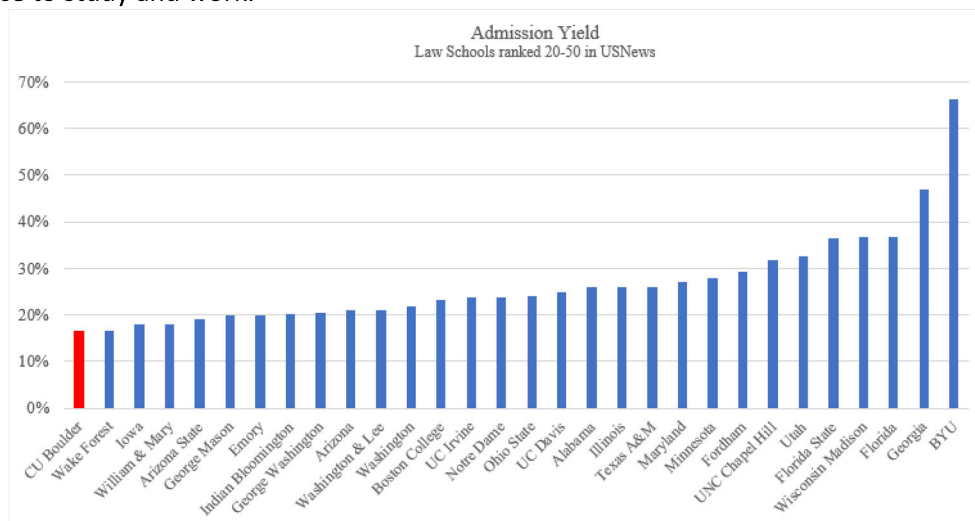
In addition, although the school began addressing the lack of transparent reappointment, tenure, and promotion criteria raised in the 2014 ARPAC report, more needs to be done in this area. The criteria for meeting the overall University of Colorado System standards for reappointment, tenure, and promotion still needs to be communicated in a clear manner to faculty of all ranks. While each promotion is unique, the school's expectations should be made clear and explicit to the faculty.

Undergraduate Education

Law does not offer an undergraduate degree program. However, given the campus's move to a new budget model and the budgetary stress law currently experiences, the school might consider offering some type of minor degree or perhaps a sequence of courses aimed at building undergraduate legal literacy. A curriculum expanded in this way could also help the school integrate even more with the larger campus.

Graduate Education

A casual review of admissions data suggests that Colorado Law has a strikingly low yield, particularly given the low tuition, the high level of scholarship support, and the unique attributes of the Colorado region as a place to study and work.



As noted above, Law offers the Juris Doctorate Degree (JD), the Masters of Law (LLM), and the Masters of Studies in Law (MSL). The school does not offer the PhD. Below is a six-year graduation history for the JD, LLM, and MSL degrees.

Overall Graduate Degrees	JD	LLM	MSL
2017	169	0	4
2018	193	0	7
2019	156	9	10
2020	175	11	12
2021	170	4	17
2022	168	17	8

Note: the numbers listed in the table above were pulled from the unit data profile provided by the Office of Data Analytics; there was a discrepancy in graduate degree totals between the unit profile and Law's self-study.

Law enrollments have fluctuated slightly with no discernible trend. There is evidence of growth in the LLM program, yet that growth appears to offset student declines in the JD degree program. This is consistent with declines reported in JD degrees nationwide. The MSL program is much newer, and no graduates are listed yet. According to ODA, roughly 60% of the JD degrees awarded by law are to students who claim residency outside the state of Colorado.

The Colorado Law chapter of the Student Bar Association (SBA) represents the interests of law students. All Colorado Law students are members of the SBA and may vote for SBA officers and their respective class officers. The SBA oversees the activities of law school student organizations and allocates funding to them, administers the school's honor code, and sponsors many educational, social, and athletic activities.

In the last ten years, the law school has expanded its degree offerings by adding alternatives to the JD, but the self-study does not mention ongoing curricular innovation. As a professional degree program, law is not expected to make teaching or research opportunities available to its students.

In 2020, nearly 90% of Colorado Law graduates were employed within 10 months of graduation. That year, nearly 20% of graduates held a clerkship of some form. Some 95% of the members of the 2021 and 2022 classes had some form of legal summer internship experience. In 2021, roughly 80% of law graduates gained employment in Colorado; 20% were employed outside the state. With 60% of the student body coming from out of state, this suggests that a large fraction of the student body is choosing to come to Colorado Law to start their career in the state.

Postdoctoral Training

Law does not employ traditional postdoctoral scholars. Instead, the school sponsors a faculty fellows program for distinguished postgraduates that hosted three fellows in 2022.

Staff

According to the ODA profile for AY 2020-2021, staff personnel in the law school consisted of 61 university staff members. According to the self-study, of the 61 staff, 13.11% identify as members of racial/ethnic underrepresented groups, 75.41% identify as women, and 24.59% identify as male. The self-study makes no mention of classified staff members or student hourly employees. ARPAC would like to see the law school provide more staff member data in future reports. Following recent staff departures, the new dean has begun to reassess the school's administrative staffing needs. The self-study notes that the law school plans to establish a staff-to-staff mentoring program, in part to address staff concerns emerging from the campus workplace culture survey.

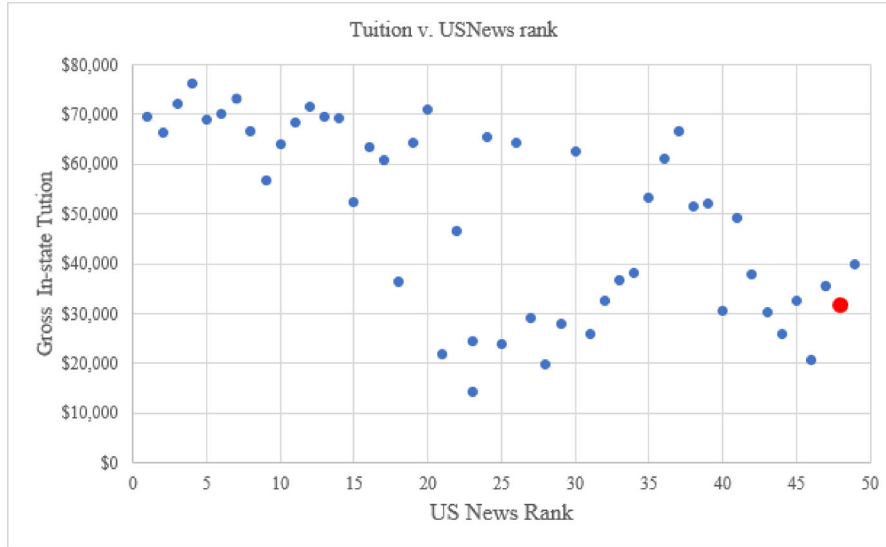
Budget

In 2021, the law school had a budget of around \$30 million. Of this, the school expended approximately 45% on faculty salaries, 20% on staff salaries, and 10% on miscellaneous costs, including student employee salaries, the library, and the IT department. Interestingly, 25% of the school's budget is dedicated to student scholarships. Stated differently, law spends a quarter of its budget providing students, on average, approximately a one-third discount on their tuition - or roughly one year of their three-year program.

As to revenues, like most professional schools, the law school has few grant opportunities (comprising roughly 3% of revenue). Philanthropic gifts and endowment generate roughly 14% of the school's budget.

The remaining 83% of the school's total revenue is tuition-generated. Yet as shared above, the law school has chosen, perhaps due to market pressures, to substantially decrease its net tuition (in real terms) over the last decade.

Law school tuition has been nominally flat over this same period. Given that inflation over the last decade has been about 25%, the real net-cost of tuition for Colorado Law students appears to have decreased by about half. This places the school's tuition low among the country's top 50 law programs, as suggested in the following chart (red dot represents Colorado Law). The concern over high tuition raised in prior reports may be alleviated at this point. See the chart below from 2022 *U.S. News and World Report*.



A further unknown for ARPAC as it prepares this report is the impact of the new budget model on law.

Going forward, the dean will be under pressure to identify a sustainable business model. As is, the current model leads to budgetary stresses, including the lagging faculty salaries previously noted. Without changes, these stresses may grow, especially considering that neither campus general funds nor state funds can serve as a back-stop for the school.

One possibility may be to expand the size of the student body in order to gain economies of scale. While this may raise teaching costs for the first year of the law program, perhaps economies of scale may occur in years two and three as median class sizes expand, thus achieving expanded revenue opportunities with only modest marginal expense. Annual applications exceed over 3,000 per year. This suggests there may be room for expanding the student body without diluting student quality. Given that faculty-student ratio is only a modest part of *U.S. News* rankings (3%), this could be an option the dean may wish to consider.

Another approach may be to reconsider the scale of student scholarships. To place the current discount in perspective, faculty salaries were about \$13 million in AY2021. Student scholarships that year were roughly \$6.5 million, or half of what was paid to faculty. While the desire to keep tuition and student debt loads low is laudable, this policy choice appears to be capping faculty salary growth. At some level, the school may wish to share this economic reality with its faculty and staff so that the implications of the school's tuition policy are more widely appreciated, thus reducing stress over faculty and staff salaries which are mentioned in various reports.

Increased philanthropic support might be another avenue the dean can employ to raise additional funds, especially to support student scholarships. Currently, only 15% of student scholarships are supported through philanthropy. At current scholarship outflows, full philanthropic support would require additional endowment of \$150 million. This, of course, cannot be achieved in the near-term as philanthropy is typically a long-haul endeavor. Yet, this should not diminish efforts by law to start this journey.

The school's plan to increase entrepreneurial revenues is laudable as called for in its seven-year plan. Only time will tell if on-line opportunities and non-degree programs will grow sufficiently in scale to generate the profits needed to address the core budgetary challenge confronting law today. As is, the

new masters degrees offered as an alternative to the JD are not generating material revenues. The school's decision to purposefully keep these programs small in contrast to other major law schools is another policy decision the school may wish to reconsider. Yet, in the short run, it appears these programs cannot be a material source of marginal revenue. As previously noted, other undergraduate curricular offerings could be another revenue source, with the added benefit of further integrating the law school into the life of the main campus.

Space and Infrastructure

The Wolf Law Building, built in 2006, offers 190,000 square feet to house the school. A 2019 expansion opened up additional space for the school to accommodate its advancement team, student law journals and a conference space, among other uses. This addition had a second-order effect of making more faculty office space available.

Additionally, in 2020, the school updated its technology capabilities transforming the facility into a "state-of-the-art building for learning, hosting programs, and collaboration...". Overall, the state of the law school's physical plant appears to be quite good when compared to other campus academic units. While the school's current student body faces some space constraints, the self-study does not speak to any pressing limits. As the school continues to optimize its space-- for example, to address strategic priorities around improving unit culture--it appears to have sufficient resources to make needed improvements.

Support Needs

The primary challenges affecting the school relate to its financial model and organizational culture. First, the school's self-imposed tuition policy poses challenges to the budget environment. Second, the cultural dynamic and climate within the school appears to have corrosive elements. Whether perceived or real is not entirely clear, yet this seems to be a longstanding issue that precedes the current dean. ARPAC believes that if the school wishes to move forward, it must address these organizational challenges.

The Rocky Mountain West region deserves a top tier law program that competes at the highest levels with our nation's top programs. Amongst the various challenges that might confront the school, solving these two long standing issues will go a long way toward strengthening faculty recruiting and retention, increasing faculty scale, and perhaps improving faculty and staff culture.

These challenges will require long-term solutions. As such the campus should focus on supporting the new dean. For example, the self-study recommends a coach or mentor to provide confidential guidance to the dean. ARPAC agrees that such support by a trusted advisor with academic prowess would be useful. It would be helpful if the advisor could also provide help or guidance on how the school can enhance its revenue. Two new masters programs were formed, at least in part, to generate revenue; however, collectively they generate less than 3% of the school's budget.

Deference should be extended to the new dean as she expresses both her strategic priorities and whatever support consequences might flow from those priorities. These are conversations she should be having with the provost. The campus should consider avenues for helping the dean revisit the school's tuition policy or in turn, help lower expectations among the various law constituencies to match the school's budgetary reality.

Recommendations

The members of the Academic Review and Planning Advisory Committee address the following recommendations to the School of Law and to the offices of responsible administrators:

To the Unit and the Dean of the Law School:

1. Within the strategic plan, explore tuition policies and scholarship policies possibilities, study the causes of low student yield, and plan for increased revenue generation more broadly:
 - a. Reconsider the self-imposed tuition policy.
 - b. Reconsider the decision to cap enrollment in non-JD programs, a strategy which contrasts with other law schools.
 - c. Explore the scholarship policy given such a dramatic decrease in real, net tuition over the last decade. Should Law choose to preserve this policy, it has a duty to communicate to faculty and staff the implications of this approach and its impact on salaries, recruitment, and retention packages.
 - d. Study causes of low student yield. The School should make a plan to both identify why students choose to forgo offers of admissions and better market these positive attributes.
2. The strategic plan should address issues of faculty collegiality, culture, and morale.
 - a. Work to understand the nature of the law school's culture and the fundamental cause for why faculty relations are referred to by the external reviewers as "fractious".
 - b. Work with the Office of the Senior Vice Chancellor for Diversity, Equity and Inclusion and leverage the Campus Workplace and Culture Survey results toward positive change.
 - c. Build a plan to address these culture issues among appropriate constituencies.
 - d. Communicate to, and discuss with, the clinical faculty the constraints affecting a transition into the tenure track.
 - e. Make a plan to balance the dean's significant external responsibilities with the role's significant internal profile and needs for a greater dean presence in the school.
3. Develop and execute a comprehensive philanthropy strategy.
 - a. For this to be effective, the dean must develop a robust and compelling strategic plan for the school (see item 1 above).
 - b. Match the school's philanthropy strategy with top priorities in the strategic plan.
4. Develop a communication plan that addresses what appears to be negative perceptions of the school both internally and externally.
 - a. Consider hiring a chief communications officer to focus on this difficult strategic challenge.
 - b. Create an internal communications strategy/plan that improves morale and builds enthusiasm about the future of the school and its prospects.

- c. Create an external communications strategy/plan to define brand and value and enhance identity awareness.
5. Consider exploring developing curricular initiatives in collaboration with the campus around sustainability and the environment. Connect this recommendation to the school's identity and the campus' emphasis on developing sustainability-focused interdisciplinary teaching and research.
6. Communicate the school's criteria for meeting the overall University of Colorado System standards for tenure, reappointment, and promotion in a clear manner to faculty of all ranks. While each promotion is unique, there should be a unified set of values publicized that reflect the school's expectations.

To the Provost:

7. Work to support the law school in identifying budget solutions. The school has been operating under a revenue model that is inconsistent with an R-1 law school co-located on an AAU campus.
8. Guide the dean to campus and external resources, as appropriate, that can address the "fractious faculty" environment, a longstanding issue that appears to be well-known in practitioner and legal academic communities.
9. Encourage the law school to become a key partner with the campus in leading the effort to promote programs around sustainability and the environment, perhaps by leveraging the Getches Center or creating undergraduate programs.

Required Follow-up

The dean of the University of Colorado Law School shall submit two follow-up reports—one due on the first of April 2024 and one due on the first of April 2026. The follow-up reports are to be addressed to the provost and other central campus leadership and shall focus on the implementation of the recommendations from ARPAC detailed herein. The relevant central campus leadership and the provost will also respond to all outstanding matters under their purview arising from this review year’s recommendations. Relevant central campus leaders and the provost will submit a follow-up report due on June 1, 2024, and June 1, 2026.