

**Review of Graduate Programs  
School of Law  
University of Washington**

March 30, 2013

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**Introduction**

This report responds to the UW Graduate School's charge to review the graduate degree and certificate programs offered in the School of Law at the University of Washington: The Master of Laws (with tracks in Asian Law, Sustainable International Development Law, Taxation Law, Intellectual Property Law and Policy, Health Law, Global Business Law, and General Law), Doctor of Philosophy, and the Graduate Certificate in International Bioethics, Social Justice, and Health. This report does not include review of the Juris Doctor Program.

In keeping with the committee charge, our review addresses educational quality with particular attention to future trajectories in light of a rapidly changing global marketplace for advanced degrees in law. We view educational quality broadly in terms of the quality of specific degrees, tracks and certificates along with the role of these programs in contributing to the educational quality of the Law School and of the UW more generally. Our review was facilitated by an extensive self-study report prepared by the Law School and a two-day (February 28 and March 1, 2013) set of intensive meetings of the Committee with the leadership of the Law School, program leaders, staff, faculty, students and alumni.<sup>1</sup> The agenda for the Committee review is included in an appendix. In addition, the Committee was provided a draft assessment of students' academic experience in the graduate programs that was prepared by the UW Graduate Student Professional based on a Catalyst survey.<sup>2</sup>

The context for this review is provided by the developments in the Law School since the completion of the prior ten-year Graduate School program review that was conducted in 2000/1. That review raised a number of criticisms of the graduate programs in the Law School. These included the lack of integration of the LLM degree programs with other

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<sup>1</sup> For health reasons, Professor Hensler was unable to be physically present for these meetings. She participated in key sessions by audio/video conference.

<sup>2</sup> The survey results are undermined by a very low response rate, comprised of a total of 22 students with sparse representation of individual LLM tracks and other programs.

degree programs, lack of a strong educational vision for the graduate degree programs, lack of engagement with the rest of the university, limited incorporation of research and research opportunities into graduate programs, and concerns given faculty losses about the capacity to deliver the PhD program.

Since the 2000/1 report, a number of changes have occurred. After a period of some instability in the School's leadership, Kellye Testy was appointed Dean in 2009. Under her leadership, the School established a mission of preparing students to be "leaders for the global common good." The long-standing PhD program, which was created in 1972, was re-oriented from an exclusive focus on Asian law and Asian students to a broader vision and stronger interdisciplinary research training. Several of the LLM program tracks were re-constituted. A number of the LLM tracks were more fully integrated into the elective coursework for the JD degree and fulfillment of course requirements is now shared among a number of the LLM tracks. And, a Graduate Certificate in International Bioethics, Social Justice, and Health was begun in 2008. These changes were accompanied by various administrative adjustments, including structural reorganizations in some of the LLM programs and increased staff support.

Our committee viewed these developments as immensely positive for the educational quality of the graduate programs in the Law School. The LLM programs have been transformed from a set of isolated programs managed by individual entrepreneurs into a more cohesive set of offerings focused on delivering a product of higher quality. The changes in the PhD program requirements and structure put that program on more solid footing for offering a strong interdisciplinary degree with substantial new emphasis on research training. As well, stronger linkages have been made with social science graduate programs. The vision and trajectory for these programs is consistent with the mission of the School in reaching out to a more geographically diverse set of clientele and in preparing them for important roles in their country of origin and elsewhere.

While these developments have been positive ones for the graduate programs and the Law School as whole, a number of factors pose future challenges for maintaining or improving the quality of graduate programs. Law schools face a rapidly changing global marketplace for graduate education that directly affects the market for and potential quality of LLM degrees. At the same time, there are increased demands from foreign students to use LLM degrees as vehicles for admission to the bar in states that permit examination of foreign students. At issue is how the Law School will respond to these challenges, particularly given the mission of preparing global leaders. The responses entail consideration of both the outward looking aspects of positioning the Law School for the global good and the internal aspects of establishing governance structures that will provide a sounder basis for internal adjustments to graduate programs in terms of content, scale, and support. Contributing to these challenges are various fiscal issues and funding decisions that affect access to and the scale of graduate programs.

The remainder of this report elaborates upon these key themes in addressing the graduate programs and future challenges. We conclude with a set of recommendations for the Graduate School to consider.

## **Assessment of Graduate Programs**

The leadership of the Law School has made tremendous strides in positioning the School's graduate programs to contribute to the overall mission of the Law School, in integrating graduate programs more fully within the Law School, and in establishing ties with other units on campus. The desire is to keep the LLM and PhD programs relatively small. Some modest expansion is anticipated in the future for some of the LLM programs. As well, efforts are anticipated to recruit more students from developing countries beyond the existing recruitment base in Asia, and more students from Europe and Latin/South America.

Because of the differences in the nature of LLM programs, the PhD program, and the certificate program, we consider these separately.

### **LLM Program Assessment**

Master of Law (LLM) programs are often isolated, career-oriented undertakings in American law schools. They typically stand alone from JD programs and serve distinct sets of students who are mainly seeking degree certifications in particular specialties for career purposes and international students who are pursuing the same general goal but also increasingly see the LLM degree as an avenue toward bar certification for states that offer that option. A number of law schools have greatly expanded the size of their LLM enrollments as revenue-generating mechanisms with hundreds of students per year paying high fees.

The UW LLM programs differ from this broad characterization in several key respects: (1) coursework is integrated with the JD program and in important ways across LLM tracks; (2) the degree is not envisioned primarily as a means for foreign entrée to the bar; (3) the enrollments are relatively small; and (4) the LLM programs are viewed as important elements of the Law School mission and vision.

The Committee was impressed with the commitment of the LLM track directors to their programs and the dedication of the support staff (administrative staff and career services staff) to helping students in the programs. The LLM students and alumni with whom we met generally had high praise for the programs, although some questioned the value of the required capstone work, a few suggested career-related services could be strengthened (which is a standard concern), and some foreign students expressed frustration that more was not being done to prepare students for one of existing or planned state bar credentials.<sup>3</sup> Only one current student, who planned to be an academic, expressed support for a formal thesis option for the LLM degree.

There is no standard for evaluating the quality of LLM programs. Unlike some of the LLM programs around the country that are driven by revenue considerations, the UW LLM programs have several hallmarks of good quality programs. Regular faculty teach in these programs as part of their normal loads as supplemented in some programs by practicing professionals (e.g. Taxation Law and Intellectual Property Law and Policy tracks). The course requirements appear to be substantial. With the exception of the

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<sup>3</sup> Program directors and the School leadership noted that the status of access to bar exams is evolving, especially in the state of Washington, for which steps will be taken in the future to at least partially address this concern.

Taxation Law track, all programs are offered as day programs with many full-time students. There is strong interplay of a number of the programs in terms of coursework, especially among Intellectual Property Law and Policy, Global Business Law, and Taxation Law tracks. The Health Law track builds on the strengths of the UW in health policy. And the Asian Law track benefits from the 50-year record with this emphasis and the extensive relationships within Asian countries for recruiting and placing students.

Recruitment of students to the LLM programs varies with no evident crosscutting recruitment strategy other than a web presence for the LLM programs. The LLM tracks with strong international enrollments tend to rely on extensive alumni and other networks, principally in Asia, along with visits by the leadership and program directors to Asia on a regular basis. The Taxation Law and Intellectual Property Law and Policy tracks tend to rely for recruitment of domestic students on contacts in the profession. Admissions for the LLM tracks tend not to be highly selective, although participating faculty have positive impressions of the quality of students. The dedication of the students is evidenced by a low attrition rate. Some participants have sought more flexibility in being able to space out fulfillment of requirements. Accommodations appear to have been made for such situations.

The LLM tracks vary in scale and clientele. The Asian Law track (14 students currently enrolled) draws mainly from students in Asia who typically return to their home countries to teach, become judges or work in government agencies. The Global Business Law track (20 students currently enrolled) was created in 2010 to provide opportunities for domestic and international students who want to practice international business law. The Taxation Law track (77 students currently enrolled) serves mostly domestic students. The Intellectual Property Law and Policy track (26 students currently enrolled) serves domestic and international students. The Sustainable International Development track (9 students currently enrolled) mainly enrolls students from developing countries. The Health Law track (13 students currently enrolled) mainly serves domestic students.

An open question is the future of the General LLM track, instituted in 2010, as an area of emphasis in the Law School. At present there are two students enrolled in this track. The Law School leadership desires to retain this track as an avenue for providing LLM education for international students that could lead to Washington State Bar credentials should the Washington Bar allow this form of credentialing (currently pending approval by the Bar Association). The continuation of this track opens a qualitatively different set of issues than the other fairly career-specific LLM tracks. The School leadership is well aware of the issues concerning adequate preparation of students for the General LLM, the extra instructional support that will be necessary to help prepare students for the bar (e.g., in offering professional responsibility workshops), and the inevitable issues about career placement for those who take this track with an expectation of finding legal employment in the United States.

As is the case in a number of Law Schools, an expanded General LLM track could provide an important revenue source for the School. But, our committee had two related concerns on this score. The first is that such a general offering may come at the expense of a quality program. The second is that a general LLM of this type may not provide a sufficiently valuable credential to support the kind of career placement expectations

students (especially foreign students) may have. We address the handling of the future of this program in our recommendations at the end of the report.

Fiscal issues loom more generally for the LLM tracks in the Law School. The analyses undertaken for the self-study by the Law School show that the fee-based, self-sustaining LLM tracks in Taxation Law, Intellectual Property Law and Policy, and Health Law are fiscally sustainable, showing surpluses in each of the past three academic years, with the largest surplus in the larger Taxation Law track. The fiscal situation for the other programs, in contrast, is less secure, especially under UW's newer Activity Based Budgeting (ABB) model. Under that newer model, the modest surpluses in the two tuition-based LLM tracks (Asian Law and Global Business Law) become deficits, and the existing deficit in the Sustainable International Development Law track increases. Two issues seem to be involved. One is the smaller scale of these programs (8 to 15 enrolled in each track) compared with the fee-based programs (15 to 77 enrolled in each program). The second is the formula for the ABB return to the Law School for these programs.

The Committee does not take a position on these fiscal issues, other than underscoring the importance of working toward a more sustainable fiscal model. Many LLM programs in the country are entirely fee-based, and in many law schools the LLM programs cross-subsidize other programs. Shifting all LLM tracks to fee-based may seem to be the best path toward fiscal sustainability, but the Committee recognizes that this introduces administrative complications for combined teaching of JD (tuition-based) and LLM (fee-based) programs that would likely necessitate separate sections. That, in turn, would diminish the value of combining coursework for the two degrees. Also relevant is the scale of the LLM programs for which it appears, for fiscal reasons, the programs need to grow--even under ABB.

### **PhD Program Assessment**

Doctoral-level programs in law are quite rare among American law schools and typically are very small in terms of student enrollments. According to the self study report for this review, among the nearly 200 American Bar Association approved law schools only 27 offer Doctor of Juridical Science (JSc) degrees; 11 offer Doctor of Jurisprudence (JSD); four offer a Doctor of Philosophy (PhD) degree – Indiana University, Northwestern University, University of California, Berkeley, and the UW; and two offer a Doctor of Comparative Law (DCL). The doctoral-level degrees differ in emphases and professional orientation. As is the case for the UW Law School, PhD programs in law typically emphasize interdisciplinary research about law and society. This latter focus is part of a trend in American law schools to hire faculty with social science PhDs. Both Yale and University of Wisconsin law schools are currently exploring options for interdisciplinary PhD programs.

The UW PhD in Law is the oldest in the country, dating to 1972 as part of the Law School's Asian Law Center. As stated in the self-study report:

It has grown from a small tutelage program with one to three Asian scholars to a much larger, more diverse program, especially over the past five years. It has moved away from a discrete Asian and Comparative law focus to a much broader array of subject matters...Our PhD program currently has students from China, Indonesia, Israel, Japan, Korea, Saudi

Enrollments have grown from 18 to 20 students in 2009/10 through 2011/12 to a current enrollment of 25 in 2012/13. Many of the international students are academics in their home countries who desire the PhD degree for professional advancement and status, or who have returned to careers in the judiciary or government. There is relatively limited experience with placement of students for positions in the United States, and none under the revised PhD program.

Given the relatively rarity of PhD programs in law schools, it is worth asking about the importance and value of the PhD program to the UW Law School. In response to these questions, the School's leadership underscored the importance of the PhD program labeling it "cherry on top" of the School. They noted the PhD program is integral to the vision for the School "to shape and define just and sustainable laws through scholarly discovery, ethical advocacy, inspired teaching and generous public service" (School website). As well, it fits well with the emphasis for new faculty hires in recruiting individuals with strong social science backgrounds and research commitments.

The Committee has a very positive view of the steps that have been taken under the leadership of Associate Dean Patricia Kuszler in the past year or two to re-orient the PhD program. These steps include a yearlong research methods seminar, a doctoral research seminar, encouragement of students to take coursework from social science units on campus, assignment of informal mentors to incoming students, and provision of study space for PhD students within the Law School library. As well, the PhD program has been moved from an organizational home in the Asian Law Center to be a free-standing program with a newly established governing structure comprised of the eight faculty in the Law School who have PhD/SJD degrees. At the time of our review, the School was in the process of hiring a PhD Program Director with the intent of hiring an academic who could serve as a combination advisor/administrator as well as be a lecturer in the Law School.

The energy for the new orientation of the PhD program comes from a newer set of faculty additions to the Law School and from the involvement of a couple of adjunct faculty from other parts of the university. The Committee was impressed by the enthusiasm and commitment of the PhD program faculty with whom we met. Each spoke passionately about their students and the benefits of being part of the PhD program, despite the opportunity costs involved for their time in program development and advising PhD students. They expressed appreciation for the support for the PhD program from the Law School leadership.

The handful of PhD students with whom the Committee met also spoke highly of the program and, for most, this is was the only program to which they applied. Many came to the PhD program after first obtaining a LLM from the UW. (The program provides up to 30 credits toward the PhD degree for LLM coursework.) Most plan to return to their home countries for academic or other positions. Many of the current students arrived with funding (Fulbright fellowships, USAID grant to the School, home government-sponsored funding) that lasts typically for two or three years. Most with whom we spoke expected to complete the degrees within the three years and did not have specific plans

for future funding of their degree program. The School apparently at present has limited funding options with plans for some teaching roles for advanced PhD students. These issues are obviously important for the School to address as the current cohort of students advance toward their degrees. A positive cohort effect was evident as this year's first year students know each other well from participating in the methods sequence and other required courses. Several students noted that the shared-PhD space in the Law School library did not provide for formation of a PhD community—it is too small, too isolated, and not conducive to informal gatherings.

While endorsing the new directions for the PhD program, the Committee noted several considerations that need to be addressed in strengthening the quality of the PhD program. One is, other than the commitment of the Associate Dean as Director of the PhD program, an apparent lack of engagement by senior faculty or other senior intellectual leaders to the scholarly development of the program. However capable, the Associate Dean has a full plate of responsibilities, which places serious limitations on her ability to devote attention to and advocate for the PhD program. The new Program Director position does not strike the Committee as having the gravitas to fulfill the scholarly leadership role and the important role in mentoring junior (untentured faculty) about their roles in the PhD program. One aspect of needed leadership is a much stronger presence of the UW Law School in the evolving network of doctoral-granting law school programs around the country. One forum for this is a working group that has been established by the Law and Society Association, a professional association comprised of scholars from around the world who are interested in the place of law in social, political, economic and cultural life.

A second consideration is the research environment for the PhD program. The Committee did not see much linkage between faculty research and PhD student research. Students are admitted with PhD research topics in mind and mainly proceed with those topics in the program. None of the faculty with whom we spoke talked about integrating the PhD students into faculty research. And, none of the students with whom we spoke envisioned working on faculty projects as part of their research or as a basis for future funding.<sup>4</sup> This concern speaks to the larger issue of the research culture of the Law School and the ability to provide research training and experiences beyond the classroom. (This issue was highlighted in the prior Graduate School review of the PhD program.) We do not expect the School to duplicate the social science PhD training model nor assume it is the best fit for the School. However, the Committee feels greater attention to how such experiences—along with teaching experience—can be nurtured is critical for the continued development of the PhD program as an interdisciplinary research program. (It is important to note that these limitations are common to all law school doctoral programs and are not unique to the UW Law School.) Possible short-term avenues include exploring subsidies by the Law School for PhD students to participate in research centers and projects within the broader UW community and the social sciences in particular. The longer-term avenue rests on developments within the Law School in fostering the desired research opportunities.

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<sup>4</sup> The Committee recognizes that such opportunities may exist as part of the various centers in the Law School. The point is that these issues were not top of mind in discussion with faculty and students.

A related third set of considerations concerns administrative issues for the PhD program. Neither faculty nor students appeared to know whom to turn to for resolving individual faculty problems or student progress or performance problems, other than the Associate Dean as Director of the PhD program. None were familiar with the "Graduate Program Coordinator" title, which the Committee learned is another hat worn by the Associate Dean. Narrowly viewed, this is a simple communication issue of letting all know the role of the Associate Dean as Graduate Program Coordinator for the PhD and LLM programs. Viewed more broadly, this is an issue for the broader structure and governance of these programs that we address below.

Although students are aware of the PhD program requirements and options for coursework outside of the School, few seemed to have a good sense of development of their curricular plans and how external coursework fits in. Stronger advising about this along with required course planning forms and sign off seem obvious steps to address these uncertainties. Related to this is attention to on-going professionalization experiences for the PhD students concerning such things as conference participation, article authoring, grant and fellowship preparation, and placement preparation—especially for American students and others who desire placements in U.S. academic positions. The School can and should develop appropriate workshops around these topics while taking advantage of the synergies provided through similar efforts as part of the excellent professionalization workshop series offered through the Comparative Law and Society Studies Center (CLASS) on campus.

Fiscal issues also loom greatly for the PhD program. The Committee doubts that any doctoral program in law or the social sciences produces net revenues. Put differently, serious PhD programs are expensive in terms of faculty time, outlays for fellowships and other funding support for students, and administrative support. This is no different for the UW PhD program for which revenues from tuition are at present less than two-thirds of the expenditures (presumably not including Law School faculty time) for the program and likely to be lower in the future under ABB. No one seems to be suggesting, nor does the Committee endorse, moving the PhD program to a fee basis. We address the broader fiscal issue below.

### **Program Assessment – Certificate in Bioethics, Social Justice, and Health**

This graduate certificate program was originally established in 2008 as part of a NIH-funded grant in conjunction with the Department of Bioethics and Humanities in the UW School of Medicine. That grant has ended and there is currently no external grant support for the certificate program. The program, as stated on the website for the program, allows "students an opportunity to integrate the study of international bioethics and social justice mechanisms with the global problem of health disparities." The program has two tracks, one focusing on international bioethics and a second focusing on global health.

Coursework requirements consist of a total of 18 credits comprised of a set of required Law courses, a required course for each track, and an additional set of courses from which students can choose to fill out their requirements. In addition, all students are required to complete a practicum experience as a culminating experience. This certificate is separate from a MA program in bioethics that is offered by the Department of Bioethics and Humanities.



Participation in the required and elective courses apparently is strong, but not by those who declare an interest in the certificate itself. In each of the past two years there has been two and one participant respectively in the certificate program with one completing the requirements last year and the other presumably still working on them. However laudable the program, there clearly is not a demand for the certificate as currently structured. One constraint appears to be a practicum requirement for which the loss of the federal grant has undermined administrative support for facilitating practicum development and placement.

The Certificate Program serves useful purposes, in principle, in building on the strengths of the Department of Bioethics and Humanities and those of the Law School, and in supplementing the efforts of the Health Law LLM track. However, it does not strike us that a certificate program is necessary, or necessarily the best way for strengthening ties to lower campus and for building research and other relationships that take advantage of the uniqueness of a top medical program being co-located on this campus with the Law School. It is not clear to us that the certificate program, even if more fully subscribed, enhances the overall quality of graduate programs in the Law School. It appears to stand apart in terms of faculty participation (a couple of dedicated faculty), program structure (the only graduate certificate program), and student clientele.

### **Future Challenges**

We turn in this section to future challenges brought about by the rapidly changing global marketplace for graduate education and other considerations. In discussing these, we respond to the unit-defined questions for the self-study.

#### **Global Marketplace for Advanced Legal Training**

We read and hear much about the market decline in demand for JD degrees. However, dramatic changes in the global marketplace for advanced legal training appear less often in the public eye. These changes appear to be driven by three sets of considerations. One is globalization itself—the increasingly interconnected global legal world. UW LLM graduates experience this in working for international legal firms in foreign offices where there is increased demand for skills in Intellectual Property Law and in Taxation Law that span multiple countries. LLM program leaders see greater potential as well in the global marketplace for the International Business Law track.

A second set of considerations for the global marketplace is the increased competition among programs that this globalization brings. Some faculty with whom we spoke and some students we interviewed noted that the competition for LLM students and degrees, as well as for PhD degrees, is no longer the regional competition "down the street." Instead, aggressive efforts are being made by institutions in Australia, South Africa, and elsewhere to market graduate programs that are well linked in global networks and that can be completed with fewer requirements and time than LLM programs in the United States. This competition is in addition to the efforts noted above by a number of American law schools to expand the size of their LLM programs as revenue-enhancing strategies.

A third set of forces is the increased demand, discussed above, from international students for access to LLM programs as vehicles for bar certification in states that allow this. The Law School response to this demand is one of considering expanding the General LLM program to serve these purposes.

A final relevant set of considerations is the Law School's desire to have a more global presence as reflected in the student makeup of the School. While the LLM and PhD programs have historically drawn students mainly from Asian countries given the strengths of the Asian Law Center and other ties within Asian countries, steps have been taken to enroll students from developing countries in other parts of the world. These steps include funding for students through Department of State and USAID grants (as with the current PhD students from Afghanistan and Indonesia); the Law School's Barer Institute that currently provides fellowships for two students from Kenya, one from Mongolia and one from Indonesia; and other mechanisms.

Given these various forces, the Law School is faced with a number of challenges as well as opportunities. One basic issue is what it truly means to be a "global" law school pursuing a mission of contributing to the "global common good." Beyond reaching out more directly to recruit students from key developing countries and regions, it is not clear to the Committee what it means to transition from an Asian-centric set of graduate programs to global ones. Accomplishing this in a concerted way, particularly for the PhD program, strikes us as requiring much more than funding a few students from developing countries that have not typically been represented in the Law School. What seems to be missing, and may not be realistic in the current budget climate, is a more concerted strategy—in funding, outreach, and research—for realizing the global mission.

The Committee was struck by a seeming complacency regarding existing outreach and recruiting efforts. The sense seems to be that what has worked in the past will continue to serve the graduate programs well. We have concerns about this given the likely growth in and intensity of global competition. Outreach and recruiting efforts that resonate with the global ambitions need to be crafted. More than simply “marketing” the School, these efforts are critical to touting existing strengths and improving the global brand of the School. The School has plenty of unrealized potential in this regard especially as it relates to LLM programs in key areas of global interest (tax law, intellectual property law, and international business law).

None of this should occur without greater attention to the implications of the global ambitions for the interplay of graduate programs and research directions for the School. Although LLM programs are by definition career-oriented degree programs, international students who participate in them are valuable resources for faculty who undertake work in comparative legal systems or other topics for which local knowledge is important. This interplay is even more important for fostering the type of PhD program the School seeks that will, among other things, train new generations of scholars who can return to be leading academics and officials in their home countries.

### **Program Development and Review**

The preceding challenges underscore the need for the School to be nimble in responding to shifts in the educational marketplace, demand for different degrees, and new requirements for legal certification. The self-study process has engaged the School's

leadership and program directors in considering a number of these issues. Our concern is how such considerations are addressed as on-going matters, rather than as part of episodic reviews by the Graduate School.

There appear to be a number of existing, positive working relationships among LLM program directors and among administrative support staff that provide an informal means for program coordination. Decisions about allocation of School resources to programs and broader policy decisions appear to be handled by the Associate Dean and Dean in consultation with individual LLM track directors.

However, we are concerned that this structure does not adequately support decision-making regarding resources, program scale, and program quality when viewed more holistically across the different LLM tracks and for the PhD program. There is a need for stronger governance and internal review of programs. This strikes us as critical given the looming issues about the General LLM track, the fiscal issues for the LLM tracks, and likely implications of global competition that we describe above. Some faculty members and administrators indicated they would welcome more permanent structural arrangements for collaboration among the various graduate programs.

We do not have a particular structure in mind, as much rests on the norms in the School about faculty governance, the availability of faculty who are capable of taking on critical roles, and other organizational considerations.

### **Educational Capacity**

A key issue for the future concerns the capacity of the Law School to continue to deliver high-quality programs as some of the LLM programs are expanded, the General LLM track grows as anticipated, and the PhD program continues on the current path of greater emphasis on interdisciplinary legal education. Our Committee made no effort to evaluate faculty needs in support of the various LLM program tracks.

We note above the need for stronger, senior faculty leadership in the PhD program and for broader research opportunities for PhD students while recognizing the constraints for the latter. As well, there appears to be a need for more faculty resources for providing the newly established yearlong methodological seminar. Finally, attention needs to be paid to the capacity to provide an adequate number of mentors and supervisors for PhD students so that a few faculty do not get overloaded with such responsibilities.

The involvement of faculty from social science units on campus is, as the self-study report recognizes, essential for expanding the educational capacity to offer a first-rate PhD program. These relationships need to be strengthened with greater attention to identifying particular individuals and courses that fit the vision for the PhD program. Such involvement, however, cannot substitute for the Law School's continued development of a strong first-year set of required courses that are delivered by the Law School.

### **Fiscal Issues**

As discussed in the self-study and addressed above in our program assessment, fiscal issues loom greatly for the sustainability of the LLM programs and the PhD program. The Committee does not take a position on these fiscal issues, other than underscoring

the importance of working toward a more sustainable fiscal model for the LLM programs as a whole and recognition of the need for continued subsidy of the PhD program.

The need for cross-subsidies among LLM tracks and for the PhD program is inevitable given differences in scale, revenues, and funding. As important is attention to new revenue sources for supporting the graduate programs that includes greater emphasis on research funding (recognizing that this is uncommon in law schools), targeted training grants for the PhD program, and gifts. A strong foundation has been set for these efforts through the grant activity of the Asian Law Center, the Barer gift in funding the Barer Institute for Law and Global Human Services, and the US State Department and USAID training grants.

### **Recommendations**

We make the following recommendations to the Graduate School:

1. *The Law School develops stronger governance structure for graduate programs.* There is a need for stronger governance and internal review of graduate programs. This is essential for decisions regarding resource allocation, program scale, and program quality as the School faces new demands and opportunities. Our expectation is that the School will develop a structure that will allow for continuous evaluation of program quality and a basis for evaluating new directions. This is important for the LLM program tracks given the changing global marketplace and is especially important for future directions of the General LLM track.
2. *The LLM programs continue to be authorized to offer degrees subject to Graduate School review in the next ten-year review cycle.* This recommendation is not entirely open-ended, as it rests on the development of the stronger governance structure that we recommend.
3. *The PhD program degree continues to be authorized with Graduate School review in five years.* Although the degree is long-standing, the recent changes in the PhD program make it essentially a new degree program. We view these changes very positively. However, it is too early to gauge how well the promise of the new directions will reach fruition. A review in five years will provide an important milestone for this assessment.
4. *The Certificate Program in Bioethics, Social Justice, and Health is discontinued.* The Certificate Program serves useful purposes, in principle, in building on the strengths of the Department of Bioethics and Humanities and those of the Law School, and in supplementing the efforts of the Health Law LLM track. However laudable the program, there clearly is not demand for the certificate as currently structured. The bridging of the Law School with the health sciences can be served by shared research endeavors that continue to exist, the Health Law LLM track, and by those PhD students with interests in health law.

***School of Law Graduate Program Review***  
***William H. Gates Hall***  
***Agenda***

<b>Wednesday, February 27, 2013</b> <b>7:00 pm Review Committee Working Dinner</b> <b>Chloe Bistro, 3515 NE 45th St, 206.257.0286</b>
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<b>Day 1 – Thursday, February 28, 2013</b>	
8:30 – 9:15 Dean’s Suite, Room 371	Welcome and Opening Discussion with Dean’s Office: Dean Kellye Testy, Assoc. Dean Patricia Kuszler
<b>9:15-9:30</b>	<b>BREAK</b>
9:30 – 10:45 Macfarlane Lounge, Room 447	PhD, LL.M. Track and Certificate Program Directors
10:45 – 11:30 Macfarlane Lounge, Room 447	PhD, LL.M. Tracks and Certificate Program Administrative Staff
<b>11:30 – 1:30</b>	<b>LUNCH – FACULTY CLUB</b> [Reservation for 11:45]
1:30 – 2:30 Macfarlane Lounge, Room 447	LL.M. Tracks Faculty
2:30 – 3:15 Macfarlane Lounge, Room 447	LL.M. Programs Career Services: Kathleen Lemly, Signe Naeve, Heather Alhadeff, Holly Bennet
<b>3:15 – 3:30</b>	<b>BREAK</b>
3:30 – 4:30 Macfarlane Lounge, Room 447	LL.M. Students and Alumni
4:30 – 5:00	Tour of Wm. H. Gates Hall
<b>6:00 pm</b>	<b>Review Committee – Working Dinner</b> <b>Marlai Fine Thai, 3719 NE 45th St, 206.523.3200</b>

<b>Day 2 – Friday, March 1, 2013</b>	
8:30 – 9:15 Macfarlane Lounge, Room 447	PhD Program Faculty: Professors Dongsheng Zang, Saadia Pekkannen, Todd Wildermuth, Tom Cobb, Zahr Said
<b>9:15 – 9:30</b>	<b>Break</b>
9:30 – 10:15 Macfarlane Lounge, Room 447	PhD Students
10:15 – 11:15 Macfarlane Lounge, Room 447	Discussion of Challenges and Future Directions: Review Committee, PhD, LL.M. and Certificate Program Directors, Program Directors and Faculty from related PhD Programs across campus
11:15 – 12:30 Macfarlane Lounge, Room 447	Review Committee Executive Session I
<b>12:30 – 1:30</b>	<b>LUNCH – Macfarlane Lounge</b>

1:30 – 2:15 Law Building Macfarlane Lounge, Room 447	Review Committee Executive Session II
<b>2:15 – 2:30</b>	<b>BREAK</b>
2:30 – 3:30 Macfarlane Lounge, Room 447 Law Building	<u>Exit Interview I</u> Ana Mari Cauce, Provost and Executive Vice President Rebecca Aanerud, Associate Dean, The Graduate School Kellye Testy, Dean, School of Law Patricia Kuszler, Associate Dean, School of Law Kima Cargill, Associate Professor, UW Tacoma Interdisciplinary Arts & Sciences David Fluharty, Associate Professor WOT, School of Marine & Environmental Affairs David Canfield-Budde, Academic Program Specialist, The Graduate School
3:30 – 4:15 Macfarlane Lounge, Room 447	<u>Exit Interview II</u> Executive Session (no Law School representatives outside the Dean’s Office)
4:15 – 4:45 Macfarlane Lounge, Room 447	Review Committee Debriefing