

MINUTES  
ACADEMIC AFFAIRS COMMITTEE  
YOUNGSTOWN STATE UNIVERSITY

**DATE:** Monday, December 9, 1968, at 4:00 P.M. in Central Hall, Room No. 2.

**PRESENT:** Dean Edgar, chairman Behen, Prof. Alleman, Prof. Botty, Dr. Dillan, Dr. Chrisp, Prof. Fortunato, Dr. Hare, Dr. Richley.

Chairman Behen called the meeting to order at 4:05 P.M.

Prof. Botty indicated that her committee (A-3a) is still meeting weekly.

Professors Fortunato and Hare presented the results of their effort to formulate a preliminary report reflecting the substance of this committee's deliberations on the substitution of the J.D. degree LL.B degree. After much discussion and some revision of the report, it was moved by Dr. Dillan and seconded by Dr. Hare "that the revised form of the report be accepted by this committee and that Chairman Behen be directed to present it to President Pugsley."

The committee spontaneously and unanimously agreed that Professors Fortunato and Hare be lauded and thanked for their excellent work in preparing this report.

The next meeting will be called by Chairman Behen.

The meeting was adjourned at 5:20 P.M.

**Victor A. Richley**  
Recorder

**VAR:ams**

**cc:** President Pugsley  
Dean Coffield  
Dean Edgar  
Prof. Alleman  
Dr. Behen  
Prof. Botty  
Dr. Bridgham  
Dr. Chrisp  
Dr. Dillan  
Prof. Fortunato  
Dr. Hare  
Prof. Niemi  
Mrs. Sch/nuttgen

December 9, 1968

A PRELIMINARY REPORT submitted at the request of President Pugsley by the Academic Affairs Committee; Dr. Behen, Chairman.  
SUBJECT: A proposal to grant degrees of Doctor of Jurisprudence (Juris Doctor) to holders of Ll. B. degrees of the former Youngstown University Law School.

This proposal was considered by the Academic Affairs Committee during the course of three meetings held October 14 and 21, and December 9, 1968. After full deliberation of the issues involved, and, according to a motion, "recognizing the fact that the Law School has been discontinued for almost a decade," it was decided that no real "academic" issue was involved in the proposal, but rather one of possible justice to the graduates of the former Law School, and one of expediency or public relations: matters on which the Committee felt itself without authority to judge or to act. Therefore, we suggest that the matter be referred to the residual legatee of the former administration, the present Board of Trustees of Youngstown State University, and are prepared so to recommend to the Senate.

It should be emphasized that the Committee did not at any time take a vote on the J. D. issue. It is therefore improper to speculate on how such a vote would have gone; and furthermore impossible to assess the weight to be attached to any of the conflicting views to be exhibited below. What the Committee's action does propose is that the matter, while of

interest to the Committee, does not fall within its proper province.

Legal training was the first academic field offered by Youngstown College. In a continuous effort to make legal training more uniform, standards were established by such organizations as the Ohio League of Law Schools, the American Association of Law Schools, and the American Bar Association. The Youngstown institution was accredited by the Ohio League, but it was not accredited by the national associations because it was a night (part-time) school, and did not have the required three full-time professors.

The accreditation which it did have was sufficient to meet state bar examination requirements, and to give its graduates admission to study for advanced degrees at some other institutions: for instance, at Case-Western Reserve.

The Youngstown Law School, until it closed almost a decade ago, graduated several hundred students. The achievements of its graduates are well known to this community. At present about half the judges sitting on the bench of its local and regional courts are YU Law School graduates. A great number are serving, with distinction, the legal needs of this community through the general practice of law; further, many occupy responsible positions in industry.

The Committee on Academic Affairs is fortunate in having, among its members, two YU Law School graduates who not only have a special interest in the matter at hand but

who, it can be assumed, express the point of view of their several hundred orphaned colleagues. Moreover, the committee also has, among its members, several academicians holding Ph.D. degrees, all of them admitting to "visceral" objections to the J. D. proposal. Thus it might have been difficult for the committee to reach substantial agreement on a recommendation, if it had in the first place determined that the matter fell within its province.

The entire committee could agree, however, that if the Law School in question had not been discontinued, but were today an accredited unit of Youngstown State University, the problem would simply not exist. Like every other law school in Ohio and more than two hundred others in the rest of the nation, it would today be granting J.D.'s and making them available, retroactively, to all of its former graduates.

Nor is the propriety of granting such degrees really at issue, however much some members of the committee felt it should have been when the practice began. Granting J. D. degrees is today too widespread in American law schools to make it the subject of fruitful discussion. The questions at issue are whether YSU should take steps to remove an inequity affecting the alumni of a law school that no longer exists; and whether, assuming that such inequity really exists, YSU would be well-advised to take steps to remove it. The first question is a matter of justice; the second a

matter of public relations.

On the question of justice, a great deal was said on both sides. It was suggested that failure to substitute the J. D. degree for the Ll. B. perpetrates an injustice. When YU closed the Law School, in a real way it turned its back on the educational needs of this community. By refusing to make the conversion in the face of the overwhelming Ohio and national precedents, it will be compounding a wrong. There is ample evidence that YU Law School graduates were well trained, performed exceptionally well on the Ohio Bar Examinations, and distinguished themselves at least equally with the graduates of other Ohio law schools; and that if they had gone to Akron, Ohio State, or Case-Western Reserve, they would today hold J. D. degrees. But they did not, and the Law School was discontinued for lack of national accreditation (it was accredited by the Ohio League of Law Schools) and lack of that community and local Bar Association support which could have assured its continuance; and in any case the graduates received the degree they sought from the institution they chose to attend.

Nevertheless, most members of the Committee felt that some form of justice was involved in the proposal, and that YSU, as "residual legatee" of the YU Law School, could properly, other things being equal, occupy itself with the request of large numbers of its Law School graduates.

The question of expedience is a thornier matter. It was argued that granting the J. D.'s would help to consolidate community support of the present State University, and facili-

tate the careers of the graduates. On the other hand, it was argued that the move might be seen by the academic community, and by the community at large, as an attempt to curry the favor of a particular group at the expense of the University's reputation for granting earned degrees to those who earned them and honorary degrees for distinguished public service. The J. D. proposal falls in neither category, and some members of the committee feared that the move might be seen as a blatant and disreputable manipulation of academic proprieties.

While there is ample precedent for granting J. D.'s to Ll. B. holders of existing law schools, there is no precedent for granting J. D.'s to Ll. B. holders of discontinued law schools. If YSU is to create the precedent, presumably on the grounds of visible justice to its Law School alumni, its decision must inevitably be colored by a consideration of the expediencies involved.

In this area, only the University's officers concerned with its public relations are competent to judge.

Respectfully submitted,

David M. Behen  
Chairman