

# TOWARDS A NEXTGEN LAW SCHOOL CURRICULUM

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## INTRODUCTION

As the third-smallest law school in the nation,[1] Appalachian School of Law (?ASL?) is probably not the first law school to come to mind when thinking of cutting-edge, innovative curricular and pedagogical changes in legal education. Yet, ASL has long prided itself on its agility and ability to rapidly respond to outside forces. In February, 2022, when the American Bar Association (?ABA?) revised Standard 303(b) on development of a professional identity and Standard 303(c) on educating law students on bias, cross-cultural competency, and racism, ASL reacted quickly by developing and adopting its Implementation Plan before the beginning of the next term.[2],[3] An article on ASL's approved Implementation Plan was the first entry published on the University of St. Thomas School of Law's Holloran Center[4] Professional Identity Implementation Blog on August 22, 2022.[5] A year later, ASL reported on its progress in executing its Implementation Plan.[6]

So, when the National Conference of Bar Examiners (?NCBE?) Board of Trustees approved its Testing Task Force's recommendation[7] for the five-year implementation of a completely revised bar examination, ASL didn't hesitate to roll up its sleeves and get to work on examining its entire curriculum and making necessary changes to prepare its students for the ?NextGen Bar Exam.? To this author's knowledge, although a few articles have addressed it, no other law school has published a NextGen Curriculum.[8] This article aims to provide law school faculty and administrators with details on how ASL achieved its goal of putting into place a NextGen Curriculum for the entering Class of 2027.

Section A of this article will briefly review the development of the NextGen Bar Exam and its differences from the Uniform Bar Exam. Section B will discuss ASL's self-assessment process for ascertaining its current curriculum's sufficiency for the NextGen Bar Exam. Section C will examine ASL's method in analyzing its self-assessment results to revise its curriculum to meet the new challenges, and will compare ASL's existing and newly-revised NextGen curricula. Section D looks forward to how ASL will continue to assess the results of the curricular changes and fine-tune the program of legal education.

[1] ASL had a full-time enrollment of 161 students according to U.S. News & World Report's 2024 Best Law Schools rankings. Only the law schools at University of the District of Columbia (Clarke), with 125 full-time students, and Western Michigan University (Cooley), with 154 full-time students, are smaller. See 2024 Best Law Schools, U.S. News & World Rep., [https://www.usnews.com/best-graduate-schools/top-law-schools/law-rankings?\\_sort=enrollment-asc](https://www.usnews.com/best-graduate-schools/top-law-schools/law-rankings?_sort=enrollment-asc) (last visited Dec. 19, 2024).

[2] See Report to the House of Delegates, Resolution (Feb. 2022), Amer. Bar Ass'n Section of Legal Educ. and Admissions to the Bar, <https://www.americanbar.org/content/dam/aba/administrative/news/2022/02/midyear-hod-resolutions/300.pdf>.

[3] See Dawn Figueiras, [One Law School's Faculty-Approved Implementation Plan for Complying with the ABA's Revised Standards 303\(b\) and 303\(c\)](#), Univ. St. Thomas: Holloran Ctr. Pro. Identity Impl. Blog (August 22, 2022), <https://blogs.stthomas.edu/holloran-center/implementation-plan/>.

[4] The Holloran Center for Ethical Leadership at the University of St. Thomas School of Law has focused on curriculum development and the professional formation of law students since its founding in 2006. Its Professional Identity Formation Blog has become one of the nation's major sources for discussion and reflection upon professional identity formation for law students. See Univ. St. Thomas: Holloran Ctr. for Ethical Leadership, <https://law.stthomas.edu/about/centers-institutes/holloran-center/> (last visited Dec. 19, 2024).

[5] See Figueiras, *supra* note 4.

[6] See Dawn Figueiras, One Year Later: An Update on One Law School's Faculty-Approved Implementation Plan, Univ. St. Thomas: Holloran Ctr. Pro. Identity Impl. Blog (July 26, 2023), <https://blogs.stthomas.edu/holloran-center/one-year-later-an-update-on-one-law-schools-faculty-approved-implementation-plan>.

[7] See NCBE Board of Trustees Votes to Approve Testing Task Force Recommendations, Nat'l Conf. of Bar Exam'rs (Jan. 28, 2021), <https://www.ncbex.org/news-resources/ncbe-board-trustees-votes-approve-testing-task-force-recommendations>.

[8] See Melissa Shultz, Professor, Please Help Me Pass the Bar Exam: #NEXTGENBAR2026, 71 J. of Legal Educ. 141, 169 (Fall 2021), <https://jle.aals.org/home/vol71/iss1/13/> (confirming that law schools across the country will need to "grapple with the substantial changes" and begin to critically assess how their curricula and assessments need to be modified in advance of the [NextGen Bar Exam]).

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