



# South Carolina Commission on Higher Education

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## **MEMORANDUM**

**To:** Mr. Ken Wingate, Chair, and Members, S.C. Commission on Higher Education  
**From:** Dr. Bettie Rose Horne, Chair, and Members, Committee on Academic Affairs and Licensing

### **Consideration of Request for Amendment of License LL.M., Admiralty and Maritime Law, Charleston School of Law**

#### **Summary**

The Charleston School of Law (<http://www.charlestonlaw.edu/>) (CSOL) requests approval of an amendment to its license to offer at its campus in Charleston a program leading to the Master of Laws (LL.M.) degree in Admiralty and Maritime Law beginning in fall 2012.

CSOL is a private, for-profit institution with its only campus in Charleston. The Commission licensed the CSOL in September 2003 to recruit and enroll students; classes began in fall 2004. Conditions of the license were that 1) no "unique cost" or other special state funding be required or requested; 2) the institution discontinue advertising and enrolling students into the program if it becomes apparent that it is unable to meet its timeline to gain ABA accreditation; and 3) in the event that the school, or its officers or agents, should make an attempt to cause the school to become a part of the College of Charleston or any other public institution, the license granted to the school shall be null and void and immediately revoked.

Currently CSOL enrolls 517 full-time and 191 part-time students in the program leading to the J.D. degree. The following is a snapshot of the institution.

CSOL - By the Numbers	
2,041	applicants to the class of 2013 full-time program
708	number of students currently enrolled
230	average number of students enrolled in each class level
121	number of externship partners
93	percentage of 2010 alumni who passed a state bar exam
80	percentage of the class of 2011 who completed more than the 30-hour minimum of <i>pro bono</i> service required for graduation
73	number of colleges and universities represented in the class of 2013
56	percentage of full-time students who are South Carolina residents
21-54	age range of currently enrolled students
23	median age of first-year full-time students
52/48	ratio of men to women in the student body
33	number of student organizations
96.43	percentage of full-time students who graduated within three years, part-time students who graduated within four years for the 2010-11 academic year
\$110,300	estimated total of tuition and fees for full-time students completing the entire JD program in normal time

For the 185 graduates of the class of 2010, 170 reported their employment status. Of those, 92.6 percent of students who passed a bar exam and 82.9 percent of all students were employed or pursued advanced degrees within nine months of graduation. The percentage of students who pursued an advanced degree was 7.1 percent.

The American Bar Association (ABA) accredits the institution. Graduates are eligible to take the bar examination in all 50 states, the five U.S. territories, and the District of Columbia. The ABA does not formally approve any program other than the first degree in law (J.D.), but the school must obtain the acquiescence of the ABA's Council of the Section of Legal Education and Admissions prior to commencing the LL.M. program. CSOL submitted its "major change questionnaire" to the ABA and expects approval at the April 12, 2012, ABA meeting.

For all students who completed the J.D. program during the 2009-2010 academic year, the median federal loan debt was \$91,604.83 and the median private loan debt was \$24,614.50. The following information from the U.S. Department of Education shows student loan default rates at CSOL:

School	Type	Control	PRGMS		FY2009	FY2008	FY2007
Charleston School of Law	First Professional Degree	Proprietary	Federal Family Education Loan/Federal Direct Loan (FFEL/FDL)	<b>Default Rate %</b>	0%	0%	
				<b>No. in Default</b>	0	0	
				<b>No. in Repay</b>	93	1	
				<b>Enrollment figures</b>	829	0	0
				<b>Percentage Calculation</b>	11.2%	0%	0%

To provide context for the Cohort Default Rate (CDR), USDE includes enrollment data (students enrolled at any time during the year) and a corresponding percentage (borrowers entering repayment divided by that enrollment figure). While there is no direct relationship between the timing of when a borrower entered repayment (October 1 through September 30) and any particular enrollment year, these data are for the academic year ending on the June 30 prior to the beginning of the cohort year (e.g., FY 2009 CDR Year uses 2007-2008 enrollment).

The U. S. Department of Education sanctions a school when the school's three most recent cohort default rates are 25 percent or higher or if a school's current default rate is greater than 40 percent. Except in the event of a successful adjustment or appeal, such a school will lose FFEL, Direct Loan, and Federal Pell Grant program eligibility for the remainder of the fiscal year in which the school is notified of its sanction and for the following two fiscal years.

The location of the Charleston School of Law offers a distinctly unique urban setting within Charleston's "Upper King Street" district. At the heart of the campus is the Sol Blatt Jr. Law Library, located in the restored Camden Railyard Depot at 81 Mary St. Listed as a National Historic Landmark, the circa 1850 building was the original railroad depot for the Best Friend of Charleston. In addition to the library, the building also houses student study space, seminar rooms, a café and lounge area, bookshop, and administrative offices. The school also has administrative and faculty offices and five classrooms in the adjacent AT&T building at 385 Meeting Street. Administrative, adjunct faculty, and student government offices; seminar and group study rooms; and one classroom are located at 392/394 Meeting Street, with additional student government office space at 390-A Meeting Street. The historic Art Deco Chase Building located at 414 King Street houses administrative and faculty offices, a conference room, student study space, and two classrooms. 442 King Street has administrative offices and 444 King Street has administrative offices and two interview rooms. The American Theatre located at 446 King Street contains one classroom. Additionally, the Law School has access to the Charleston Museum Auditorium, the Federal courtrooms, and the Charleston Music Hall as needed.

<b>CSOL Facilities</b>	<b>Square feet</b>
Nine classrooms	11,890
Research and student study space	1,571
Library	25,388
Faculty offices	4,940
Co-curricular and student activity areas	800
Administrative and staff offices	9,834
Ancillary support	48,876
<b>Total</b>	<b>103,299</b>

The dean of the College reports to the Board of Directors. Assistant deans for career services, students, library and information technology, academic affairs, and administration and alumni development report to the dean. CSOL employs a total of 33 administrative and support staff employees including assistants, administrators, non-CSOL student workers, and IT support staff. This number does not include deans, directors, managers, or CSOL student workers.

CSOL provides an extensive collection of library resources. Students access the institution's library from the web site <<http://www.charlestonlaw.edu/v.php?pg=322>> for a legal research portal, catalogs, databases, research guides, and new resources. The school also maintains an on-site library in compliance with ABA-accreditation standards.

Admiralty law (also referred to as maritime law) is a body of law which governs maritime questions and offenses. It is a body of both domestic law governing maritime activities, and private international law governing the relationships between private entities which operate vessels on the oceans. It deals with matters including marine commerce, marine navigation, shipping, sailors, and the transportation of passengers and goods by sea. Admiralty law also covers many commercial activities and land based or occurring wholly on land that are maritime in character.

The lawyers whose practice is primarily in the field of admiralty and maritime law are known as the “admiralty bar.” Such practitioners are typically members of professional organizations that conduct seminars and publish on current topics in this specialty. These include the Maritime Law Association of the United States (national), the Southeastern Admiralty Law Institute (regional), and the Charleston Maritime Law Institute (regional with headquarters in Charleston). The term “admiralty and maritime law” is an old label for the legal specialty recognized in the United States Constitution (Article III, Section 2).

The objective of the program is to provide training for the practice of admiralty and maritime law, which is a broad field that includes maritime transportation and commerce; specialized employment such as seamen, longshoremen, and other labor workers; international trade law; maritime trade finance; and regulation of shipping. Graduates will be candidates for employment in private practice and in government regulatory or administrative positions in admiralty and maritime law.

Oversight of the proposed LL.M. will be through a director of the program who will report to the dean of the Law School. According to the application, the school will support the LL.M. program with four full-time faculty members and a full-time administrator. The school will employ adjunct professors with appropriate credentials and experience.

Tuition for the LL.M. will be \$205 per credit hour, a total of \$49,900 for the program. For admission into the LL.M., applicants must hold a J.D. degree from an ABA-accredited institution.

According to the 2011-12 *Occupational Outlook Handbook* published by the Bureau of Labor Statistics, competition for job openings for lawyers should continue to be keen because of the large number of students graduating from law school each year. Graduates with superior academic records from highly regarded law schools will have the best job opportunities. In addition, employers increasingly are seeking graduates who have advanced law degrees and experience in a specialty such as tax, patent, or admiralty law.

Institution officials expect an initial class of 12 full-time students and five part-time students. The proposed program curriculum requires a total of 24 credit hours.

<b>CSOL LL.M. Curriculum</b>	
<b>Course Name</b>	<b>Credit Hours</b>
Admiralty I	3
Admiralty II	3
International Ocean Carriage and Payment Systems*	3
Law of the Sea	3
Marine Collision and Limitation of Liability	3
Seminar on Multi-modal Transport of Goods	3
Marine Insurance I	3
Seminar on Marine Insurance	3
Seminar on Personal Injury and Death Litigation	2
Specialist Seminar on Supervised Research	1 – 3
Salvage and Historical Preservation	3
Tug, Tow, and Pilot	2
Marine Environmental and Pollution Law	2
Regulation of Shipping	4
Regulation of Shipping II: The Federal Maritime Commission	3
International Business Transactions	3

No other institutions in South Carolina offer a program leading to the LL.M. Tulane Law School at Tulane University offers a LL.M. in Admiralty and the University of Miami School of Law offers a LL.M. in Ocean and Coastal Law.

**Recommendation**

The Committee on Academic Affairs and Licensing commends favorably to the Commission an amendment to the license of the Charleston School of Law to add a program leading to the Master of Laws (LL.M.) degree in Admiralty and Maritime Law for implementation in fall 2012.