UNIVERSITY OF
SOUTH DAKOTA

October 23, 2019

Representative Chris G. Karr
7421 W. Luke Drive
Sioux Falls, SD 57106

Senator John Wiik
PO Box 95
Big Stone City, SD 57216

Dear Representative Karr and Senator Wiik:

We are writing in response to the July 25, 2018, letter from the Joint Committee on Appropriations regarding operations at USD School of Law and are pleased to report a lot of progress.

CLASS OF 2022

USD Law's most recent entering class, the Class of 2022, settled at 84 students. Law schools commonly track the undergraduate grade point averages and scores on the Law School Admission Test ("LSAT") for incoming students as a measure of class strength. We watch where the 25th, 50th, and 75th percentiles fall. Meaning, where 75, 50, or 25 students out of each 100 students respectively fall. For the incoming class of 2022, the LSAT and undergraduate grade point average by percentiles are:

25th: 147/3.15

50th: 152/3.43

75th: 154/3.76

Both the number of students and credentials are the highest in almost ten years.

BAR PASSAGE

In July, 81% of the USD Law Class of 2019 passed the South Dakota bar examination, the first bar exam administered after graduation. Of the

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applicants who did not pass, all but one passed one of the two portions of the exam. They will only be required to retake the portion of the test they did not pass.

For members of the Class of 2019 taking the bar exam in other states in July, we are aware that 71% (5 of 7 takers) passed. We do not receive comprehensive reports from other states as we do in South Dakota, so that number will continue to move somewhat as the results filter in.

USD graduates sitting in South Dakota in July did well in comparison with graduates of other law schools. Out-of-state graduates taking the South Dakota exam passed at 87%. Out-of-state "first time takers" can include practicing lawyers whose states do not offer reciprocal admission with South Dakota and therefore have to take the bar exam. Therefore, this number is not a perfect comparison.

INTERNSHIPS

The term "internships" can mean different things depending on context. USD Law students obtain placement in a variety of "hands on" settings. That can include for credit placements (called "externships," clinics, or practicums) as well as traditional "internships." Both provide hands on experiences for students. All responses are numbers for the current academic year.

Among the for-credit options, we have eight students participating in the Low Income Tax Clinic. This program operates from the Law School, is funded by an IRS grant, and offers representation to low income taxpayers in their disputes with the IRS.

USD Law offers a criminal defense practicum in cooperation with the Minnehaha Public Defender office. Those students receive in class instruction on criminal practice and represent defendants in court under the supervision of a practicing lawyer. There are currently five students in that practicum.

"Externships" are placements of students for credit. They receive in class instruction and feedback from a professor at USD Law, then work in the field under the supervision of a practicing attorney. There are currently two students enrolled in externships.

Although not for credit, USD Law offers two "pop up" clinics. One is the Tribal Wills Clinic. Students go to Indian Country and draft wills for tribal members under the supervision of two professors. This clinic travelled to Lower Brule over the summer and provided services to 29 clients. The second option is the Veteran's Legal Education Group (VLEG). Students in this program traveled to Hot Springs and to Mitchell and offered legal advice to veterans on a variety of topics under the supervision of USD Law professors and USD Law

alumni, many of whom are veteran's or currently serving in the military reserves. VLEG had 20 students participate this year and they provided services to 37 veterans.

Traditional internships are placements, typically for pay, during the summer. First year students cannot begin looking for placements until the spring semester so they can focus on their education during the first semester. Therefore, we do not have numbers for them at this time.

Among the second year Class of 2021, 43 of 67 students have internships arranged for summer 2020. Additional employers will conduct interviews in the spring and there are seven students currently "not placed" who worked at a firm last summer and may intend to return.

Presently, 19 students are going to work in Sioux Falls, nine in Rapid City, four in Pierre, eight in other communities over 10,000 residents (including Aberdeen, Brookings, and Mitchell) and four in communities smaller than 10,000.

IMPACT OF ADDITIONAL FUNDING AND POSITIONS

The impact of the additional admissions personnel is directly reflected in the increased size and credentials of our first- and second-year classes. We are matriculating more and better students because we are able to more actively and effectively recruit. Those numbers will inevitably fluctuate from year to year, but we are in a better position to get students here by actively recruiting. Increasing our class sizes advances learning outcomes because we have sufficient students to populate practical learning opportunities, such as clinics and externships as well as our co-curricular programs: law review, moot court, trial team, and alternative dispute resolution competition teams.

Increased admissions resources also help us keep South Dakota students in South Dakota for law school. The attached chart shows where USD Law gets its students. It is mainly from schools in South Dakota. However, we are seeing increased competition for South Dakota students. For example, SDSU has an active pre-law society which hosted a recruiting fair with 12 law schools present. University of Nebraska offers full tuition scholarships to 33% of its incoming class, including many South Dakota undergraduates. To keep South Dakota students at home, and thus more likely to stay in South Dakota when they join the workforce, we need a regular presence on those campuses. Our admissions personnel fulfill that need.

Additional resources for career services help with ongoing identification of employer needs, tracking of student interests, and matching the two. Brian Boyenga began in this position in October (the prior employee went home to

Nebraska). Brian has started developing one-on-one career plans with students. This helps students find hands on training opportunities during the summer and during the term. He is reaching out to employers to identify their hiring needs and interests going forward.

Both admissions and career services personnel are working with the Dean on a project with the State Bar to identify high school students with possible interest in legal careers. This will extend to students not only interested in being lawyers, but those with an interest in law enforcement, the judiciary, and related fields. This builds on and coordinates with existing programs to expand their reach and help find students to populate the legal and law enforcement infrastructure in South Dakota. We intend to have a particular focus on rural communities, many of which have a shortage of legal professionals.

CONCLUSION

We are pleased to share the significant advances made in the USD School of Law. This progress is made possible by the support and generosity of our donors and your support and investment in South Dakota's Law School. We look forward to continuing our work with the Joint Committee on Appropriations and thank the Committee for its interest and support.

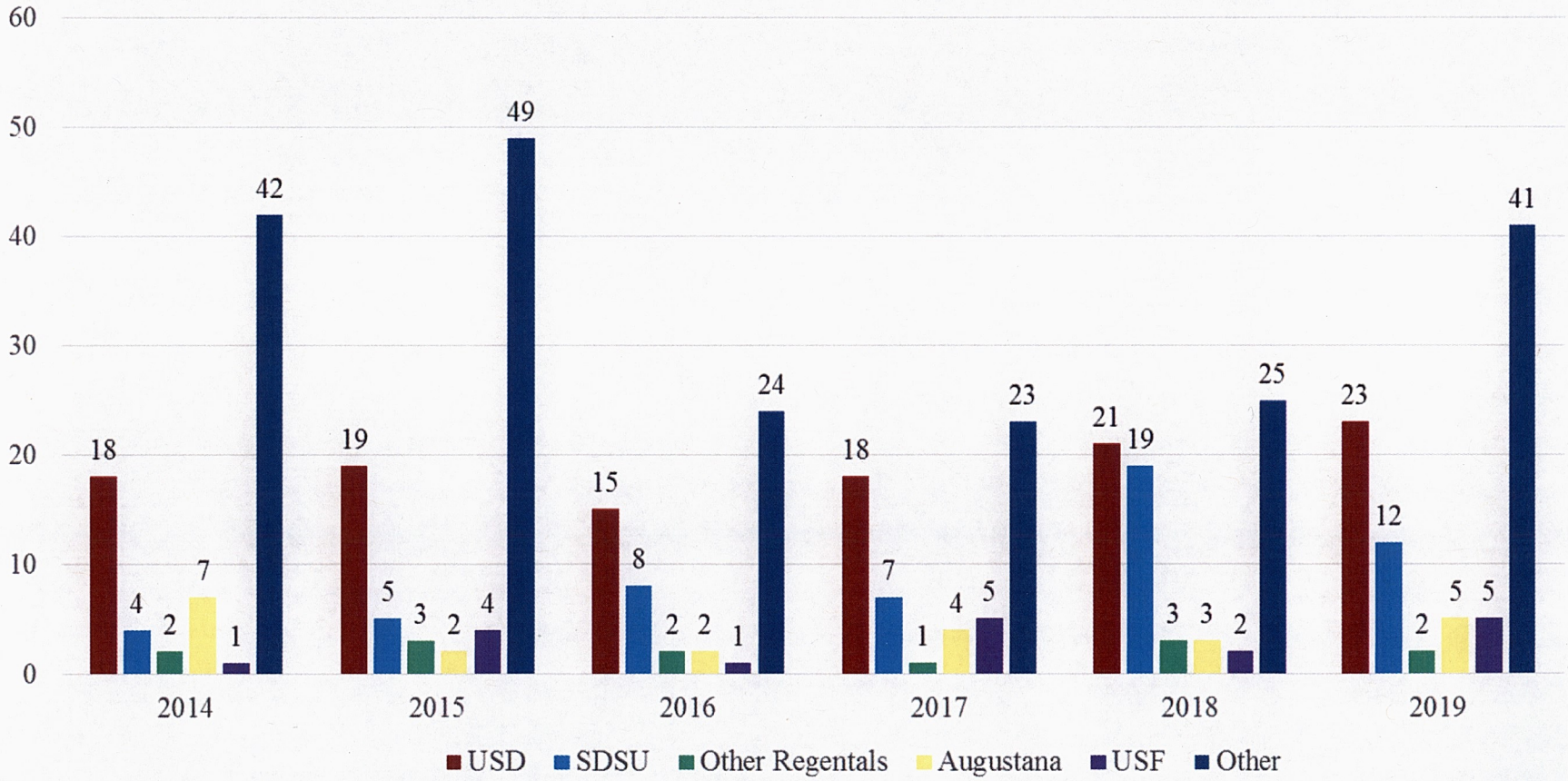
Sincerely,

Sheila K. Gestring
President
University of South Dakota

Neil Fulton
Dean
USD School of Law

UNIVERSITY OF
SOUTH DAKOTA
SCHOOL OF LAW

Where Do Students Come From?



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