

APPROVED – Tuesday, July 8, 2008 Alumni Board meeting

Ave Maria School of Law Alumni Association  
Board of Directors Teleconference  
Tuesday, July 8, 2008

**Present:** Alex Vernon (AV); Luke Reilander (LR); Matt Bowman (MB); Olesia Doran (OD); Brian Hoeing (BH); David Krause (DK); Peter Mansfield (PM); Chris McGowan (CM); Mark Rohlena (MR) (joined the meeting after the attendance roll call); Suzy Siegle (SS); Mary Anne Zivnuska (MZ) (joined the meeting after the attendance roll call); Ermin Gornik (EG); Eugene Milhizer (EM)

**Absent:** John DeJak (JD); Heather Mitchell (HM); Justin Berger (JB); John Drake (JDrake); Matthew Muggeridge (MM); Bernard Dobranski (BD)

**1. Call Meeting to Order** – 8:02 p.m.

**2. Opening Prayer** - Krause

**3. Attendance Roll Call**

**4. Dean Milhizer Addressing Questions to the Law School**

EM:

-Thank you for letting me go first in this meeting. The last few weeks have been very productive and successful for the law school. The ABA has terminated the inquiry into the faculty complaint and has found the school in compliance with ABA standards.

-We have filed with the ABA our request for acquiescence for the relocation to Florida. I'm optimistic that this request will be favorably considered by the ABA.

-The relocation and retention benefits package was published to the community and we are now scheduling individual meetings with faculty and staff about this matter.

-3 professors are starting on the tenure track next year: Assistant Professors DeJesus and Afield who are new professors; and Assistant Professor Gillen who was a visiting professor last year.

-2 professors are confirmed as visiting professors for next year: Mike Kenney and Judge Dan Ryan.

-The most recent departures from the law school are the following: Professor O'Callaghan will be a visiting professor at another law school; Professors Rollins and Frohnen are not returning to AMSL next year. Everyone at the law school thanks them for their contributions to AMSL.

-February Michigan Bar Exam results: 2 out of 2 AMSL alumni first-time test takers passed, 100% passage (first in the state); 4 out of 6 AMSL alumni repeat test takers passed (first in the state), and then 1 additional person passed by means of the appeals process.

-For the upcoming Bar Exam in July, we will have the hospitality suite set up for the Michigan Bar test takers. All alums are invited to help with the suite. Please keep these students in your prayers.

-Mitch Counts has begun working as Associate Dean for Academic Affairs. He is also leading the work begun for the Florida relocation.

-Kathryn Buis will be joining us as Academic Support Coordinator. She graduated from AMSL this past year.

-In Student Affairs, all final grades for the spring semester have been received, approved, and posted. 1<sup>st</sup> and 2<sup>nd</sup> year classes are ranked, we are still working on the 3<sup>rd</sup> year class.

-In Admissions, we don't really know what the incoming class will look like until the fall. So far, it looks like it will be a good-sized class and I'm optimistic that the class will be bigger than last year. We have also begun work preparing for the incoming Class of 2009.

-In Career Services, the EERS results (the employment survey) were released in early June and it tracks placement 9 months after graduation. The Class of 2007 had a placement rate of 82.6%. This is 8.2% higher than the placement rate of Class of 2006. I ask that alumni help Career Services by tracking down unreported alumni so that we can get credit for their employment in future surveys.

-Fall OCI program has been posted, with 43 firms and organizations participating.

-We had 10 students who received Blackstone Fellowship offers from the Alliance Defense Fund

-We have over 12 organizations, public and non-profit, in Collier and Lee Counties who are committed to provide externships in the future, and this list of externship opportunities will grow in the future. One job placement of note is Cohen & Grigsby, a large law firm in PA and FL, has offered summer employment positions to 2 first-year AMSL students. This is an opportunity that opened up because of the pending relocation to Florida.

EM:

Now I will read and answer the questions that I received from you.

*Luke Reilander:*

*1. Have there been discussions by people in the administration about the possibility of shutting down law school operations in Michigan and then beginning afresh with new operations in Florida - in contrast to the current plan of simply moving the law school to Florida?*

*2. Have there been discussions about not having a 1L class either next year or the year after?*

*3. Have there been discussions about "teaching-out" the current Michigan students in Michigan instead of having them graduate from a Florida campus?*

EM: The answer to all these questions is that they are just rumors. This is not going to happen. In fact, I hope that you can see from the update about Admissions that the opposite is true.

*4. Dean Milhizer's email indicates that a formal request for acquiescence was submitted last month. When was it submitted? Is it possible to see the text of the request for acquiescence? If that is not possible, can you share what exactly was requested? (In particular, I am curious as to whether the request was simply to move to Vineyards for the indefinite future, or whether the request was to move to Vineyards as a temporary location before moving to Ave Maria Town. Was Ave Maria Town mentioned in the request or not? Will a second request for acquiescence be necessary in order to move the school to Ave Maria Town)*

EM: The request for acquiescence was submitted on June 19. The request was to move to the Vineyards campus. The Vineyards campus was identified as an interim campus until we are able to finally situate ourselves in Ave Maria Town. No timetable was provided for the later move to Ave Maria Town, because no timetable has been established. As to whether a second request will be necessary to move to Ave Maria Town, my own personal judgment is that I don't think that this would be necessary, but we are going to continue working closely with the ABA, and if they want a second request, then we would be happy to do that. I think that a second request would not be a difficult issue for the ABA.

*5. An alumni member of Law Review who apparently saw the Vineyards plans expressed concerns to me that the Vineyards plans do not provide for office space for Law Review. Is there space provided for Law Review at the Vineyards campus? Have actual renovations and work begun on the Vineyards campus?*

EM: Yes, there is space provided for Law Review at the Vineyards Campus. There will be more space for Law Review than there is currently. If the alum saw plans, these were preliminary plans without all the spaces identified. The square footage at the Vineyards campus is more than the square footage we have at our current facility. Work on the Vineyards campus has begun in that we have been going through the permitting and approval process, but no actual construction has begun.

*6. Since our last Alumni Board meeting in June 2008, has a schedule been developed for breaking ground for the new law school building in Ave Maria Town?*

EM: I expect that you can ask this question every month and the answer is going to be the same: No, there is no schedule, because the construction of the new law school building in Ave Maria Town is not an active matter. Our energies are directed to first moving to the Vineyards campus.

*Suzy Siegle:*

*1. Does Dave Kelley currently work for AMSL or AMU or AMF (as an employee, consultant, or a subcontractor, or in any other capacity)?*

EM: Dave Kelley has consulted for us in the past, and I expect he will consult for us in the future.

*2. If the answer is yes, what does he do and what has he been doing?*

EM: Dave Kelley is a direct mail expert and he has a long-standing relationship with Ermin Gornik and Bill Colburn. He is an expert on direct mailing and we have consulted with him in order to take advantage of his expertise.

*3. If no, has he worked for any of the above entities either as an any employee, consultant, subcontractor, or any other capacity since the time of the announcement of his departure from the law school as Development Director?*

EM: I don't know if he has worked for any other entities. He has worked for us in the past and I expect that he will work for us in the future.

*4. Have all proceedings, fact findings, investigations etc into the complaint that was filed by the Faculty concluded? Is the matter over in its entirety? Are there other counts that were alleged by the faculty against the school still open and pending and being reviewed, or is the entire complaint closed and this matter has been concluded all together?*

EM: Yes, all proceedings, etc., are concluded. Yes, the matter is over in its entirety. No, there are no other counts being reviewed. Yes, the entire matter has been concluded.

*5. Was the application for acquiescence submitted on June 30th (Monday?) If not, what specific day in June was it submitted?*

EM: As I said earlier, the application for acquiescence was submitted on June 19.

*6. Dean Milhizer mentioned that the ABA informed us that we “remain on the list of law schools approved by the ABA”. Is approved by the ABA the same as fully accredited by the ABA? Does this mean that there never was any change in our accreditation status? Since attaining full accreditation in 2005, has AMSL's accreditation status remained the same?*

EM: The language we used in the announcement was used because we wanted to have language that the ABA wouldn't be concerned about. Our status is that we are fully approved, fully accredited by the ABA. Of course, there was a change in our accreditation status when we went from unaccredited to provisional accreditation, and against from provisional accreditation to full accreditation. Once we were fully accredited, there has never been any change in our accreditation status. Yes, since attaining full accreditation in 2005, our accreditation status has remained the same.

*7) Dean Milhizer references the “Committee” in paragraph two, that will be at the law school in the Fall to direct its attention to the continued 405a compliance. Is this “Committee” separate from the site inspection team that is scheduled to come for the Fall visit? Is the same Committee that was involved in the 405a proceeding also coming out in the Fall?*

EM: First, I never said that the “Committee” will be visiting us in particular in the fall, but I said that the Accreditation Committee will continue to consider ABA standards as accreditation committees do for every law school. In the fall, the site team will be visiting us, and this site team will provide a report to the Accreditation Committee, which the Accreditation Committee will consider in evaluating whether the law school is in continued compliance with ABA standards. Let me be clear to everyone so that there is no misunderstanding: the law school remains fully, not provisionally, accredited by the ABA. The school's status has not changed since we first received full accreditation. ABA policies call for a site visit for all new legal institutions 3 years after receiving full accreditation, and the ABA site visit this fall is the regular site visit. This site visit was not scheduled because of the complaint or because of the request for

acquiescence. The law school was never put on probation or required to take any sort of remedial action because of the complaint or other reason.

-I want to publicly state that I really appreciate all the help and assistance that the ABA has provided to us. I had the opportunity to work closely with the ABA, and I think this bodes well for acquiescence in the future.

-Please realize that the email announcement is written carefully, in order to avoid any problem with the ABA. We don't want to jeopardize our relationship with the ABA.

OD: We were originally told that one of the main reasons for moving AMSL to Ave Maria Town was that it would give AMSL access to funds coming from the real estate project in Ave Maria Town. Now, it has been decided that AMSL is moving to the Vineyards campus. Does AMSL still have access to the promised funds, even though it is moving to the Vineyards campus?

EM: That is financially sensitive information. That is not my decision to release this information. I suppose the Board of Governors could release that information if it so chose. But I can't talk about financially sensitive matters.

OD: This means that some people of the community might speculate that there is no financial difference between moving to Vineyards and staying in Michigan.

EM: I can't control people's speculations. I'm not going to address sensitive financial information.

CM: Thank you for taking the time to be here with us. We haven't had communication with the Dean or the Acting Dean for a considerable amount of time, so we are grateful to you today. There is no ambiguity in mind about the resolution of the faculty complaint, so thank you for clarifying this for us. Do you have any idea about the timeline for the ABA decision on acquiescence?

EM: I'm working with the ABA on this right now. My hope is that we can work as quickly as possible.

CM: If the acquiescence application is not successful with the ABA, is there a contingency plan for the law school?

EM: My game plan is to do whatever is necessary with the ABA in order to get acquiescence.

CM: What if the application is delayed a year, or there is some other problem?

EM: I guess that the school would stay open in Michigan, but I'm not in a position to make any guarantees. I have every intention to have the school open in Michigan.

DK: Thank you, EM, for being with us tonight.

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EM: I hope that with the Vineyards decision and the recent good news about the faculty complaint, we can move on and start looking to the future instead of dwelling on past disagreements.

SS: Thank you, EM, for being so straightforward tonight and I hope we can continue working together in the future. I wish the school had been more straightforward in the past about the ABA complaint and the process surrounding the complaint.

EM: I want to make clear that there were no leadership changes because of the ABA complaint. Dean Dobranski has had 3 major surgeries and other minor surgeries, he is fighting infections, and any leadership changes that happened had nothing to do with the ABA process.

SS: Was the law school required to attend the 13(b) show cause hearing of the ABA process?

EM: My position is that it is best to maintain confidentiality about the details of the ABA proceedings, so I cannot comment on this further. There is some information that we can't disclose, such as information dealing with personnel matters.

CM: I want to strongly encourage you, EM, to continue to join us on these conference calls when your schedule permits, because this information that you have shared tonight is very helpful.

EM: I encourage all alumni to go out and share the good news about AMSL, which would. There is a lot here that everyone can be proud of.

## **5. Approval of June 3 minutes**

Motion to approve the June 3, 2008 Alumni Board minutes at a later time over email: LR

Second: SS

Vote on motion to approve the June 3, 2008 Alumni Board minutes at a later time over email.

All votes in favor. No votes against.

Motion to approve the June 3, 2008 minutes at a later time over email is carried.

## **6. Old Business**

### **A. Call Recording** – Gornik

EG: I contacted the company that arranges these conference calls. The phone calls are never recorded. They are only recorded if you ask for them to be recorded and pay for them to be recorded. We have never asked for them to be recorded or paid for them to be recorded. So, there never has been recording of these conference calls.

## **7. Committee Reports**

### **A. Development** - Mansfield

PM: Everyone should have gotten the mailings and emails for this year's alumni giving drive. I would like to thank EG because he has done a lot of work on the drive this year. We have been following up with alumni by means of phone calls made by volunteers. We don't know what are the final results of the drive yet.

### **B. Admissions** – Vernon

AV: Nothing else to report, besides what EM reported.

### **C. Career Placement** - Siegle, Doran, Bowman & Rohlena

SS: I spoke to Michelle Zyskowski earlier, and I'm interested in hearing whether the Alumni Board would be open to approving a letter to alumni, asking alumni to share advice on interviewing techniques. The advice would be collected and provided to students in some kind of format, perhaps hard copies, perhaps on the school's website.

EG: That is a good idea.

PM: I would suggest that if this information was posted on the website, that it be in the password protected section and not accessible to the public.

Discussion about what would be done with the collected information.

SS: I expect that Michelle and I would be the ones who would edit and format the collected information.

BH suggests that the project contain a list of books recommended by alumni, a list of books that alumni have found helpful.

### **D. Elections** - Zivnuska, Berger, Drake and Gornik

MZ: Nothing to report.

EG: In our upcoming election, there are 4 officer and 3 chair positions that will be open. It is a big election.

## **8. New Business**

### **A. Alumni Association Correspondence** – Berger

JB is not present at the meeting. Agenda item is deferred to next month's meeting.

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**B. Regional Affairs Update** – Gornik

EG: During the last couple of months, there have been several regional alumni gatherings in different areas across the country, such as Grand Rapids, Washington, DC, San Antonio, and Hillsdale, MI. The school is willing to financially support these types of gatherings. Also, on July 29-30, we are going to be having the hospitality suit in Lansing for those AMSL alumni taking the Michigan Bar. If you are able, please come and drop by the suite.

**9. Set Next Meeting**

Next Alumni Board meeting is set for Tuesday, August 5, 2008.

**10. Closing Prayer** - Krause

**11. Adjourn** – 9:15 p.m.