

January 23, 2006

To The Editor:

I am writing to update the citizens of Indiana on the status of the Indiana State University Law School Initiative. When the administration of Indiana State University on December 8 brought to its Board of Trustees a recommendation to explore the feasibility of creating Indiana's third public law school, the trustees voiced their support for a comprehensive feasibility study to be conducted. The trustees' unanimous action was the direct result of the charge they had given the campus leadership to think creatively and aggressively about ways to advance ISU's role as an institution serving statewide needs.

A threshold question is whether Indiana needs another law school at a public institution. There is ample evidence that hundreds of very well-qualified Hoosier college graduates are unable to gain admission to either of Indiana University's two law schools at Bloomington and Indianapolis. Last year, those schools accepted fewer than one in ten applicants.

We have already heard strong words of support from some of those frustrated Hoosier graduates who were forced to leave Indiana to attend law school and will never return. This is consistent with a high correlation between the state in which one attends law school and the state in which he or she takes the bar and establishes employment. Indiana cannot afford this "brain drain" of highly educated, highly trained professionals.

Some have expressed an opinion that Indiana already has too many lawyers. According to one published report citing U.S. Census Bureau data, Indiana ranks 46th in the number of lawyers per 100,000 population. Additionally, the Department of Labor projects growth in the 10 to 20% range for lawyers between now and 2012. Moreover, the leaders of Indiana's judiciary and organized bar all agree that there are far too few practicing lawyers who are minorities. As the Indiana public, four-year institution with the highest percentage of minority undergraduate students, we at ISU are strongly committed to a diverse law school student body, if we proceed beyond the feasibility study.

While we believe there is reason to conclude a third public law school is needed, we also believe that need can only be served by a school committed to the highest standards of excellence. The planned feasibility study will tell us how much will need to be invested to attract and retain the highest quality law school faculty and student body. If ISU and the State of Indiana cannot realistically raise the resources to create a law school that is worthy of our institution and worthy of the Hoosier State, we will not create it.

We at ISU are excited by the prospect of the creation of a new law school, but we will conduct the feasibility study in an objective, analytical manner, consistent with the admonishment that will be read this week by every presiding judge in dozens of Indiana courtrooms to hundreds of newly-selected jurors: "You should keep an open mind and not reach a judgment about the outcome in this case until you have heard all the evidence...."

The trustees and administration of Indiana State University respectfully make this request of all those who will one day sit in judgment of the wisdom of creating a new law school at our institution: "Please keep an open mind until you have heard all the evidence." In the meantime, we will welcome your immediate feedback and will look forward to discussing this further with you upon the completion of the feasibility study.

Sincerely,

Lloyd W. Benjamin, III
President
Indiana State University