

For-Profit Law School in Arizona Is Put on Probation

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Arizona Summit Law school, a troubled for-profit institution owned by the InfiLaw System, has been placed on probation by its accrediting body, the American Bar Association.

The association's move was announced on Monday and followed Arizona Summit's affiliation with Bethune-Cookman University, a nonprofit historically black college in Daytona Beach, Fla.

Arizona Summit Law in Phoenix is the second school owned by InfiLaw to be placed on probation for failing to meet A.B.A. accreditation standards. Sterling Partners, a private equity firm in Chicago and Baltimore, is an investor.

The first, Charlotte School of Law in Charlotte, N.C., lost its eligibility for federal student aid in January as a result of the probation. Its enrollment has declined sharply, and the school has said it is trying to restart federal aid and is exploring affiliation with a nonprofit college in a Northeastern state.

At Arizona Summit, the bar association found that admissions practices, academic programs, and graduation and bar exam passage rates were below par.

These deficiencies, according to a statement by the A.B.A. Section of Legal Education and Admissions to the Bar, "have resulted in the law school now being in a position where only immediate and substantial action can bring about a sufficient change to put the law school on a realistic path to being in

compliance within the time allowed” by the bar association’s rules.

Only 24.6 percent of Arizona Summit graduates who took the Arizona state bar exam for the first time in July 2016 passed, an exceptionally low rate. Charlotte School of Law reported nearly the same passage rate for its graduates who took the North Carolina bar exam last month.

The bar association said that because the situation at Arizona Summit was critical and urgent, it could have hearings this year to consider any additional remedial action or sanctions “up to and including withdrawal of the law school’s approval.”

The probation decision was made by the bar association’s Council of the Section of Legal Education and Admissions to the Bar.

The action was praised by Kyle McEntee, executive director of Law School Transparency, a nonprofit group, who said “the decision highlights the A.B.A.’s increasing courage in holding schools accountable.”

“The school’s exploitative practices and terrible outcomes have been well documented,” Mr. McEntee said.

It was unclear whether Bethune-Cookman knew about Arizona Summit’s impending probation when it agreed to affiliate with the law school. The affiliation was announced this month.

But Randy Nelson, chairman of Bethune-Cookman’s criminal justice department and an assistant professor of criminal justice, defended the affiliation agreement on Thursday, noting by email that it “guarantees slots for up to 100 qualified B-CU students who would receive full-scholarships (inclusive of living expenses).”

“The agreement includes front-end LSAT preparation and back-end bar

examination preparation services,” for a total cost to Arizona Summit of about \$12.5 million, Dr. Nelson said.

In addition, he said, if Bethune-Cookman cannot fill the 100 slots, it may recruit students from other historically black colleges for the remaining scholarships.

“Given these components of the agreement,” he said, “it would be irresponsible not to provide this opportunity as an option for B-CU students to obtain a legal education without incurring excessive student loan debt in the process.”

It is unclear if the partnership will come to fruition because the bar association said Arizona Summit’s accreditation deficiencies were so serious that it had to develop a “written reliable plan for bringing the law school in compliance” and submit it by May 15.

In an unusually stern and detailed statement, the bar association also said that during probation, Arizona Summit must report Arizona bar exam results “within five days” of receiving them.

The bar association also made sure that the law school could not keep its probation quiet, something Charlotte Law school did for nearly a year while continuing to enroll students. Arizona Summit, the association said, must publish, or link to, the A.B.A. probation statement on its website.

Donald Lively, president of Arizona Summit, said the school would correct its deficiencies.

“It is imperative for us to take the steps necessary to ensure we are in full compliance with accreditation standards and to preserve the school’s mission,” Mr. Lively said by email.

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