September 22, 2026

Washington State Bar Association
Board of Governors Meeting
Spokane, WA
Submitted electronically

Re: Amendment to the Admissions Policies Re Definition of Approved Law School

To the Washington State Bar Association Board of Governors:

Good morning. My name is Allison Muth, and I work at Veterans Education Success. We are a nonprofit organization that works on a bipartisan basis to advance higher education success for veterans, service members, and military families. We have helped more than 5,000 students in the last decade, many of whom had negative experiences at the hands of predatory, for-profit and low-quality schools that did not deliver on their promises and left veterans in debt. As a result, it is our organizational priority to pursue policies that ensure quality education and good outcomes for veterans, service members, and their families.

We are concerned that the amendment to allow graduates of non-ABA-accredited law schools to sit for the Washington bar exam would add the Washington stamp of approval to subpar schools, while undercutting the important role that ABA accreditation has played in ensuring quality education for students as well as quality in the legal profession.

Given the long and well-documented history of predatory, aggressive and deceptive recruiting by for-profit companies that run chains of online, low-quality colleges and law schools,[1] we have a special fear that the amendment could perversely enable predatory schools to recruit students by promising that they will be eligible to take the bar exam in Washington, even if the school cannot deliver an education that will prepare the student to pass.

We have heard from many veterans who were deceived by predatory sales representatives for online college chains. For example:

- One student testified at a U.S. Senate Committee hearing that the for-profit Concord School of Law, run by Kaplan Education Company, promised him a high-paying legal career. But, after six years and hundreds of thousands of dollars, he found he had received a subpar education and learned for the first time from an adjunct professors' off-hand remark that he would not be eligible to take the bar exam in nearly every state with that degree.

[1] For example, see *For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success*, Majority Committee Staff Report and Accompanying Minority Committee Staff Views, United States Senate Health, Education, Labor and Pensions Committee (Jul. 30, 2012), https://www.help.senate.gov/imo/media/for_profit_report/PartI.pdf.

- Another student shared that the educational standards at Concord were incredibly low and that grades were manipulated. He said, “I feel sorry for the students that will go through this program and still not be equipped to pass the bar because they will not receive the education they rightfully deserved. The tactics, lies, manipulation, and stealing of federal funding from students is appalling. Who is going to stand up for all of these students? I have talked to dozens of students who were never told that they had to take the California bar or would only be eligible to practice in California.”
- A third student told us how she was strung along for five years, retaking (and passing) Constitutional Law three times but still not receiving her degree from Pacific Coast University School of Law. The school was California-accredited when she enrolled, although it eventually lost that accreditation.

Students should not take on the considerable financial burden of earning a law degree without a reasonable assurance that the education they pay for will adequately prepare and qualify them to not only sit for, but also pass, the bar exam and to have the skills and knowledge necessary to serve in the legal profession. The ABA accreditation process is key to ensuring that law schools deliver on the promises they make to students. In order to earn ABA accreditation, law schools must demonstrate that they comply with a number of important factors that ensure a quality legal education. Among the many requirements, ABA-accredited law schools must:

- meet certain benchmarks with regard to the size, qualifications, and responsibilities of faculty;
- demonstrate a curriculum and learning outcomes that meet standards and provide experiential learning opportunities;
- publish policies related to topics such as admissions, student support, handling student complaints, discrimination, and disability accommodation; and
- provide disclosures to students about important topics, including admissions and enrollment data, class sizes, employment outcomes, and bar passage data.

ABA’s education standards ensure high quality, and ABA accreditation is currently the only such assurance available to law students. For example, Thomas Jefferson School of Law lost ABA accreditation after ABA findings that it failed to “maintain a rigorous program of legal education that prepares its students, upon graduation, for admission to the bar and for effective, ethical, and responsible participation as members of the legal profession,” among other reasons.[2]

The ABA’s standards ensure that law students receive a thorough legal education and are prepared to work as licensed lawyers. The amendment would not replace ABA accreditation with any other defined, rigorous review process. If law schools could bypass ABA accreditation

[2] Letter from Barry A. Currier, Managing Director of Accreditation and Legal Education, American Bar Association, to President and Dean Thomas Guernsey, Thomas Jefferson School of Law (May 19, 2017), https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/2017_may_19_thomas_jefferson_doe_letter.pdf; American Bar Association, Appeals Panel Decision (Nov. 2019), .https://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/2019-12-18-public-notice-thomas-jefferson-appeal-update.pdf.

but still leave their students eligible to take the Washington state bar exam, the important quality-assurance role of ABA accreditation would be undermined, and Washington would demonstrably lower the bar for entry to the legal profession.

Since Washington state already offers a pathway to licensure for lawyers who did not study at an ABA law school, via admission by motion, there is no need to make it much easier for schools that may be subpar or predatory to take advantage of Washington students.

The amendment's reliance on the institutional accreditation process and other states' approval processes and its lack of threshold metrics barring subpar schools do not ensure quality for students or prospective clients.

It is extremely important to understand the difference between institutional accreditation and programmatic accreditation. Institutional accreditation regards the overall university and is primarily focused on the undergraduate programs of education, while programmatic accreditation refers to specific accreditation of specialized, licensed fields of study, such as medical schools, nursing schools, and law schools. In contrast to programmatic accreditation for licensed fields of study, institutional accreditation (which serves the purpose of qualifying an overall institution to receive federal student aid) includes no assessment of legal education or any other specialized or licensed fields of study. U.S. Department of Education officials and institutional accreditors do not claim to have any knowledge of medical or legal education or what would constitute an adequate medical school or law school, and they do not claim that their institutional accreditation says anything about the adequacy of the institution's medical or law school. Institutional accreditation does not in any way compare to the technical, specialized review of a programmatic accreditor like the ABA for law schools, especially given that there are already concerns that institutional accreditation isn't particularly rigorous at all.[3]

Additionally, other states' approval processes do not replace the rigor of ABA accreditation. For example, California requires its schools to have only a five-year bar passage rate of 40%. That is significantly lower than the ABA's baseline of 75% passage within two years. A school that is so subpar that the ABA does not recognize it as a law school, or a school that does not seek ABA accreditation but has such a low bar passage rate wherein more than half of graduates do not pass the bar, raises serious doubts that the school is teaching legal fundamentals well enough to prepare graduates to practice as lawyers. In actuality, many of these non-ABA law schools have much lower bar passage rates. On the July 2025 California bar exam, only 19.7% of test-takers from California-accredited (but not ABA-accredited) law schools passed, and only 10.2% of test-takers from unaccredited law schools passed the same exam.[4] That means that 80-90% of students have wasted their time and money on a completely inadequate legal

[3] Title IV Accreditation: Regulatory Capture and Competition, Veterans Education Success (Apr. 2026), https://vetsedsuccess.org/title-iv-accreditation-regulatory-capture-and-competition/.
[4] General Statistics Report, July 2025 California Bar Exam, The State Bar of California, https://www.calbar.ca.gov/sites/default/files/2026-01/July-2025-CBX-Statistics.pdf.

education. By contrast, 77.3% of test-takers from ABA-accredited schools in California passed the July 2025 exam.[5]

Increasing access to the legal profession is important, but there must be a mechanism in place to ensure that the quality of legal representation in the state will not dip and that student outcomes will be positive. Because of this quality concern, the U.S. Congress ensured, in a nearly unanimous vote, that only law schools that are approved by the ABA are eligible to receive federal GI Bill educational benefits.[6] Congress particularly considered the case of California's law schools that lack ABA approval and determined these should not be eligible for the federal GI Bill. If Washington follows the same path, such law schools will also not be eligible for the GI Bill.

We strongly urge the Board of Governors to consider the potential effect on low-income, unwitting students who are deceived by sales representatives from predatory and low-quality law schools that would not prepare them to pass the bar or adequately serve as lawyers. They may end up with a large amount of debt but no increase to their earning potential or path to employment in their desired profession.

If you continue with this amendment, we strongly urge you to add safeguards to protect prospective students, such as requiring a minimum bar passage rate equal to the ABA-required rate. That would at least prevent the worst performing schools from recruiting prospective students with promises of a path to a legal career in Washington. Indeed, we urge you to consider requiring the non-ABA-accredited law schools to meet all other requirements of ABA accreditation, including faculty credentials and experiential learning opportunities such as clinics, in order for its graduates to sit for the bar exam in Washington. The *Report on Washington's Expansion of Law School Approval Beyond ABA Accreditation* states that non-ABA-accredited schools are not necessarily "unable to qualify for ABA accreditation" or "inherently inferior" to schools that do.[7] If this is indeed true (despite evidence to the contrary in California), such schools should be able to meet similar, rigorous standards that help ensure students will see a return on their investment.

Thank you for providing an opportunity for public comment. We hope that our comments and recommendations will assist the Board of Governors in its process.

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[5] *Id.*
[6] 38 U.S.C. § 3676(c)(15)(B) and 38 U.S.C. § 3676(c)(16)(B), https://www.law.cornell.edu/uscode/text/38/3676.
[7] Report on Washington's Expansion of Law School Approval Beyond ABA Accreditation, Washington State Bar Association (Jul. 14, 2026), *accessed via* Board of Governors Meeting Materials, https://www.wsba.org/about-wsba/who-we-are/board-of-governors (pp. 491-492).