Alison Monahan: Welcome back to the Law School Toolbox podcast. Today, I'm talking with Jennifer Rosato Perea – the ABA's Managing Director of Accreditation and Legal Education, and a former dean of various law schools. We're talking about law school accreditation in 2026 – what's happening in Texas and Florida, and what it means for students. Your Law School Toolbox hosts are Alison Monahan, that's me, and Lee Burgess. We're here to demystify the law school and early legal career experience, so that you'll be the best law student and lawyer you can be. Together, we're the co-creators of the Law School Toolbox, the Bar Exam Toolbox, and the career-related website CareerDicta. I also run The Girl's Guide to Law School. If you enjoy the show, please leave a review or rating on your favorite listening app, and if you have any questions, don't hesitate to reach out to us. You can always reach us via the contact form on LawSchoolToolBox.com, and we'd love to hear from you. And you can check out the Bar Exam Toolbox podcast if the bar exam is on your radar. And with that, let's get started.

Welcome back to the Law School Toolbox podcast. Today, I'm talking with Jennifer Rosato Perea – the ABA's Managing Director of Accreditation and Legal Education. Before joining the ABA in 2024, Jennifer spent 16 years as a law school dean, most recently at DePaul College of Law. Today, we're going to be talking about law school accreditation – what's been happening in Florida and Texas, and what it means for current and prospective law students. So, welcome, Jennifer. Thanks so much for joining me, and thank you to the ABA for reaching out and making this happen.

Jennifer Rosato Perea: Thank you. Great to talk to you and to talk about issues of accreditation that are of great interest now to our students.

Alison Monahan: Right. I'm not sure I would've had "law school accreditation" as a hot issue on my 2026 bingo card, but here we are. Alright, well, to start us off, can you tell our listeners just a little bit about your background and what brought you to your current role?

Jennifer Rosato Perea: Yeah, absolutely. So, I've been involved in legal education probably close to 40 years now – 35, 40 years. I started as a teacher, as a Legal Writing teacher, and I became a professor and an associate dean of student affairs. And then I became a dean of three different law schools, including one public school, one private school, and one brand-new school. So, over 16 years as a dean in three different law schools before I came here in 2024.

Alison Monahan: Well, that is quite a mix. And for our listeners who don't really know what this is, what does the Managing Director of Accreditation and Legal Education at the ABA actually do every day?

Jennifer Rosato Perea: Actually, a very good question. So, I supervise staff, like any director or manager would do. So we have about 18 staff that are with us, on different aspects of accreditation. And so, I keep everybody moving, all the trains running on time, making sure we meet deadlines, all of that good stuff. But I'm also a liaison to a lot of external organizations – so, affiliate organizations, the state supreme courts, and others. I do a lot of presentations. I go to a lot of programs representing the council there. And then I also get involved with strategy and policy with the leaders of the council, all of which are really great.

Alison Monahan: Sounds like it's keeping you busy. And if people want to learn more about this work and the ABA's section on legal education, where should they go for that?

Jennifer Rosato Perea: Well, I think I would start with just Googling "accreditation and legal education", and you'll get there. There's a long tag, but you'll get there if you say "legal education and accreditation".

Alison Monahan: Perfect. Well, let's start with the basics, because I kind of vaguely had an idea what accreditation was, like, "Oh yeah, I go to an ABA-accredited school." But from your standpoint, both as a former dean and now as someone who works on this at the ABA, what even is law school accreditation, and what is it intended to accomplish for students?

Jennifer Rosato Perea: Yeah. Well, accreditation's kind of in the background. It's best when you're not thinking about it, because it provides a minimum quality of education for law schools to try to make sure that they're creating and training lawyers that are able to pass the bar, able to get a job, be competent and ethical and effective lawyers. And so, it's really kind of what we call a "good housekeeping seal of approval", so that, for example, state supreme courts know that when they're licensing attorneys, that if a student is graduating from a council-accredited law school, that they actually have the requisite legal education and the requisite quality to be an effective lawyer in their jurisdiction.

Alison Monahan: Yeah. California, where I am, is an interesting example of kind of the counterpoint to this. So, we're always rebels out in the West. But people are sometimes surprised to find this out, but California has a lot of either non-ABA-accredited schools or people that aren't even accredited by the state. And they let some of those people take the bar. So, from a student perspective, what's the practical difference, really, between attending an ABA school and not? What repercussions can this have?

Jennifer Rosato Perea: I think that students are consumers, so students should be consumers to think about what they want, and so there're price points, there's what they would like to do and whether they want to practice out of state. All those considerations are

going to go into what kind of law school they want to go to. So, California's a great example of how all flowers can bloom and how accreditation can coexist, the council accreditation with California accreditation and non-accreditation. And that's, I think, as we'll talk about later, is what some of the other states are starting to think about, is to create those different ways of bringing law schools and law students and graduates to their state. So, what you want to think about as a student, though, is portability is one big issue between the council-accredited and non-accredited law schools. So the council-accredited law schools, because they're recognized by every state in the United States and the jurisdictions, you don't have to worry about, "Well, I'm going to a law school in Texas, but I may want to practice in New York or California. Is that going to be an issue?" If you're in a California non-accredited school, you may not have that portability. You may have to stay in California, which is not a bad thing, but it's just something to think about. And as we know, the Gen Z's change jobs more frequently than certainly I did in my generation. And so, you might want to be prepared for that and make sure that portability is something you want or you don't want. And I think the second thing is what you alluded to maybe a little bit, which is the quality in terms of bar passage, career outcomes, and that sort of thing. And you just want to make sure that you look into it, because the council-accredited law schools, those graduates do better on the bar exam, for example, than those non-accredited law schools.

Alison Monahan: Yeah. And that's actually information people can very easily look up in California. And the difference is pretty striking. The California bar is notorious, but if you look at first-time takers from an accredited law school, the pass rates are much higher.

Jennifer Rosato Perea: Yeah. About three times as much.

Alison Monahan: Yeah. So it's completely wild that in California you can become a lawyer without even going to law school. Obviously not the most common path these days. Alright, well, let's get into some of this news, because I think this is probably an area that a lot of people are really interested in. So, tell me about what has been happening in the last year or so in the state accreditation space, I guess you could call it.

Jennifer Rosato Perea: Well, I think that some states are thinking about whether they want to go beyond the council-accredited law schools – just to back up a second – states have the authority over licensure of lawyers in their state. That is a very well-established authority that they have. That includes the bar exam, and so they oversee the bar exam administration, what the cut scores are going to be, all of that. But they also oversee what is going to be the legal education that's going to be required for licensing lawyers. And so, I think that in the past number of years, a lot of the states had just said, "Oh well, it's a council-accredited law school. It's okay with us." And so now that they're getting more involved in licensure more generally, they're asking the questions "Is that the only licensure we should have? And why should

we have council-accredited law schools? Should we just have them? Should we have them and other pathways like California has?" And that's where you're seeing some of the orders come out from Florida and Texas, and perhaps some other states in the last few months.

Alison Monahan: Alright. So tell me what Texas and Florida have done.

Jennifer Rosato Perea: So they've taken slightly different approaches. So, the top line is that all council-accredited law schools are recognized in those states – Florida, Texas, and all others. But what they've done is recognize those schools in different ways. So Texas, for example, reconfirmed its authority over recognition and accreditation of law schools. And they said, "Okay, we care about portability. We're not going to disrupt the system, so we're going to basically grandfather in all of the 197 council-accredited law schools." And it's attached to the order that they issued. And so there's really, in the day-to-day, no question and no difference for students that are going to law schools outside Texas or in Texas. I think most notably what they said were a couple of things. One is, "Well, if there's another national accreditor on the scene – which there isn't yet – we'll consider it. And if there are other law schools out there that would like to be recognized by the state of Texas, we'll also consider that as well, and we'll create processes, so that those up-and-coming law schools can try to get into and be recognized by Texas. That was the approach that Texas took. So again, no difference in the day-to-day to students, whether they are in a Texas law school or whether they're in a law school outside and want to practice in Texas. So portability still exists just like it did before the order. Florida took a slightly different approach and they hung their rationale on the recognition by the Department of Education. So their order is more tied to, if an accreditor is recognized by the Department of Education, they'll be recognized by the Florida Supreme Court – again, asserting its authority over licensure. And so, they did say, "Well, if there are other accreditors on the scene that are recognized by the Department of Education, of which there are not any right now, we'll consider them. We'll even maybe make some inquiries to determine whether other current accreditors, for example of universities, national accreditors might want to get into the accreditation of J.D. degrees. But for the moment, and for now, we are the only accreditor. We're recognized by the Department of Education and have been, the council has, since 1959. And so we will continue to be recognized by the state of Florida." And the state of Florida also mentioned, as Texas did in its order, the importance of portability, because they understand that it's important for students and graduates to be able to move from state to state.

Alison Monahan: Yeah, let's talk about that a little bit. So, you've alluded to portability. I think people have a general understanding of it, but what are we really talking about here? What does this mean?

Jennifer Rosato Perea: Yeah. So what it means is, like I said, I think of it as like a ticket. And so, let's say you've got your degree from a law school anywhere in the United States – so, 197 law schools – and it allows you, the portability allows you then to be licensed in any state once you meet the other conditions for licensure. It means that you don't have to go to another law school, you don't have to finish your degree in a different state in order to be licensed in that state. And so, like I said, it's really important for students who go to law school, they don't know where they might want to practice, they don't know what practice area they want to get into, and they may meet somebody in law school that's going to go to a different state, or they're going to go back to their home community. And so, they don't have to worry about, "Will my law school degree be recognized by another state supreme court, and will I be able to be licensed in another state supreme court?" and vice versa. So, it goes both ways. And because the bar exam is becoming more portable with the NextGen bar exam, it's even more important for those degrees then to be portable along with your score and with your bar exam, so that you can really be free to go across boundaries.

Alison Monahan: Right. And that is definitely one question I haven't really seen addressed that carefully in California yet, is what does this mean? California has basically said they're switching to the NextGen in July 2028, and what happens if you have the non-ABA degree or even the non-California degree? I think that's kind of an open question still at this point. We'd probably be speculating, probably a different podcast.

Jennifer Rosato Perea: Yes. No, I think that's right, and I think also the question is, if states create their own systems that don't include council-accredited law schools, which we don't have yet, the question is could you get, for example, agreements among states to recognize what we would call MoUs or reciprocity agreements. We haven't seen those. And again, they'd have to be pretty far and wide to provide assurance to students and graduates that if they go to that Texas law school, they will be able to go anywhere and practice.

Alison Monahan: Right, and you see this also playing out sometimes with foreign students who want to sit for the bar, and certain states allow it and certain states don't, and they all have very, very specific requirements depending on... I think New York is like, "Is it the common law? You get more points essentially." California's more like, "Do you practice anywhere? Okay, cool." And then other states are like, "Yeah, we don't think so."

Jennifer Rosato Perea: Right, right. But you raise also a good point, because the degree is just one thing. I mean, one of the things that we, as a dean, associate dean, say to students, "You've got to do your homework, you've got to be proactive", because the degree is one thing; there might be other requirements of that state that they want to serve that

state's particular needs, like New York, for example, having the pro bono requirement, or limitations on distance learning. So, it's a lot of things that states do to try to make sure that their needs are being met, but also make sure it's not so burdensome on graduates to be able to get in and get licensed.

Alison Monahan: Right. I remember my first bar was in Massachusetts, and I had to get a letter from a Massachusetts attorney, essentially attesting that I was qualified. And I'm like, "I don't really know anybody." I was taking the bar there partly because I was going to clerk for a judge there. And I'm like, "Do you have any friends that might be able to write this? Where am I going to get this?" But yeah, every state is different, and I think sometimes that is underappreciated. I went to law school in New York, I came back to California, I worked in Boston. I was barred in two different states. I'm not sure I really appreciated how all of that worked when I started law school.

Jennifer Rosato Perea: Yes, yes.

Alison Monahan: So, for somebody who's thinking about law school or thinking about picking a law school, do you think these are things they need to be specifically concerned about right now? Or is it still just, go to an ABA school, it'll be fine? What are your thoughts around this?

Jennifer Rosato Perea: Yeah, I think probably the safest thing to do right now is to go to an ABA-accredited law school. It's going to give you the most portability. But I would also say to ask the admissions offices, because they might have ears to the ground if anything's happening. I think you want to go to the law school that is the best fit for you, that's the highest ranked, if that's important, in a place where you might want to practice. There're all sorts of considerations. I think accreditation still should be on the lower consideration, but I still think for those states that are considering, or have considered limitations on accreditation, to just make sure that the law schools are able to articulate what the pros and cons are. For right now, I think you're safest doing that.

Alison Monahan: Yeah, and it sounds like you're saying if you're a 1L or a 2L in Texas or Florida, this is really not something you need to be concerned about. Is that accurate?

Jennifer Rosato Perea: Yes, yes. You've got a lot to worry about. You've got studies, you've got co-curriculars, you've got jobs. I think accreditation is the least of those worries.

Alison Monahan: Well, that's reassuring at least, that nobody's going to find out when they graduate they can't take the bar.

Jennifer Rosato Perea: No, these things do take time.

Alison Monahan: Yeah. No, true. But I do think in the pandemic, we saw some schools close rather suddenly, and that becomes again sort of like, "Oh, what are you going to do?" So yeah, lots of interesting stuff going on. Well, let's shift gears a little bit. I want to get kind of practical here, because I think sometimes people hear about ABA and accreditation, and sometimes the school tells them, "You can't do this" or, "You have to do this." And I'm just curious how accurate that is. What does the ABA really control and not control here?

Jennifer Rosato Perea: Yeah, yeah. That's really a good question, because we do get a lot of either old information like, "Oh, don't you require certain books in the library?", things like that. And it's like, "No." Or, "Do you limit the amount of work that students can do?", because that used to be a rule. I mean, there are some things that we used to have. I think there's mythology a bit about curriculum, for example, like what's prescribed by the council and what's not. So for example, that first-year curriculum that almost everybody has across the country – that's not prescribed by the council. So, our only requirements are, you have to have Legal Writing twice before you graduate. You have to have Professional Responsibility. You have to have six credits of experiential learning. You have to have Professional Identity Formation. Right now, though, we're in the process of repealing cultural competency requirements. So, there's really just a handful of requirements, and the rest of it is really what the law school prioritizes, bar courses, or different kinds of specialized courses, things like that. So, there is a little bit of mythology about that, but the Department of Education has strict definitions about, for example, distance learning, so we have to make sure that we are conforming to that. And there are some other things where we have standards, but they're not strict in the sense that, for example, a school needs to admit students who they believe will pass the bar and be able to effectively finish the program. And so, they can do that a variety of ways, but they've got to do that to assure the students that their investment is going to be worthwhile. And schools have to have enough resources to support the program. What they are might depend on the law school and where it is, and all of that. And then the bar passage requirement. That's one that's very strict, we don't make exceptions on that. Seventy-five percent within two years of graduation – that's a pretty modest standard overall. And so, those are the things that we prescribe. Now, we do have different standards and different categories, from faculty to curriculum to student affairs, but a lot of them are not prescriptive. They're just making sure that you have that minimal level to create that quality program that produces those competent lawyers.

Alison Monahan: No, that makes sense. It's interesting what you said about the first-year curriculum, because I talk to a lot of law students and people taking the bar, and sometimes it does come up where I'm like, "What do you mean you didn't take Con Law?" or, "What do you mean you didn't take Property? What? Your school let you do that?" I can't remember, one of the very top schools, I think it's like Contracts or

something absurd that they don't make them take. And I was like, "Seriously?" But yeah, it's interesting when you talk to a lot of people to find out what different schools are doing about different things. You mentioned the NextGen, but how are you thinking about skills-based things? Because that seems to be becoming more and more important.

Jennifer Rosato Perea: Yeah, I know. And that's something that's been on the council's mind for a while, about how best to get students to be what we call, "practice readiness" is the word that's used. What we do know is that employers do not think that our graduates are practice-ready. They don't think they're ready. And so, I think the question is, how do we get them there? How do we bridge that gap? Is it requiring more credits of experiential learning, requiring different kinds of experiential learning? For example, we don't prescribe, the council does not prescribe whether you take simulations or field placements or clinics. One could say that the better, the more client-centered approach to experiential learning... You ought to have some of that before you graduate. And so, maybe that makes you more practice-ready. But we're still kind of in that conversation with state supreme courts and others. As a dean and personally, I think we do need more kind of skills-related courses that really get the students to be competent advocates, competent negotiators, which does require you to go outside the classroom. It requires you to integrate ethics and knowledge and skills and confidence and judgment, all of those things, and emotional intelligence. And so, I'm talking more personally, that I think the best way to get really good lawyers is to enhance those skills-based courses along the curriculum. And one of the things that I think that more schools are experimenting with is putting more of those skills-based exercises modules into the doctrinal courses. So can you imagine – and I think we're doing more of this – having that contract negotiation as part of 1L Contracts? Not waiting the third year of a clinic. And so, we're seeing law schools innovating around those sorts of things as well. So I think those are all good developments, and the question is, how fast do we go, and how do we make it happen – through requirements, through directives, or through innovation and best practices?

Alison Monahan: No, that's very interesting. I remember when my business partner, who's also a lawyer, and I went to incorporate our business, and we kind of looked at each other and we were like, "I took Corporations, I did pretty well in it. You took Corporations. Do you have any idea how we do this?" And we're like, "Nope. No, no idea. Hey, Google, how do I incorporate a business in California?" We're like, "Isn't that a little weird? Shouldn't we maybe have had something on that? I don't know."

Jennifer Rosato Perea: Yeah, yeah, yeah. And I think part of the conversation, too, is about who's responsible for what, right? Because there's only so much, even if you say three years of law school is a good amount – and that's something that we talk about, too, because some people say, "Oh, it should be two years." But then you really

should have an apprenticeship or something that then gets you ready. And I think that there's just a lot of difference of opinion about how then to bridge the gap. So for example, you could have boot camp. So, you could get general Contracts, general Corporations, but then if you really want to be a certain kind of contract lawyer, you take a CLE, an intense CLE in your first or second year of practice, and help to bridge the gap. So, there are ways that I think we can talk about that in a more systemic way.

Alison Monahan: Yeah. I mean, my first master's degree was actually in architecture, which is a professional degree. And there it's a three-year program, and you do this insane internship of multiple years, and then you have like seven exams. People think the bar is hard, I'm like, "You should go talk to some architects." And it was the same conversation. I actually did a paper on this, about how what you do in school has no bearing basically on what you do in practice, it never has. I went back 100 plus years. So I think this is an ongoing conversation. Every professional school is like, "What are we really trying to teach people, and what should they walk away being ready to do?"

Jennifer Rosato Perea: And what's realistic, too, because going back to the 1L year, it's not about taking Contracts, it's about learning common law. Or in Civil Procedure, it's about, how do you read rules? How do you digest them? How do you... You need to lay the solid foundation before you start to build the skills and other things on top of that.

Alison Monahan: Right, because the reality is, you can just Google or now ask Claude, "How do you incorporate?" And there will be a very clear answer: "You fill out this form and you file it with this entity, and you pay this money and you're done." Alright, well, we're just about out of time here. But for a student who's maybe listening to this and thinking, "Huh, this is kind of interesting" – is there anything specific that you think they should be thinking about now that maybe they shouldn't have thought to ask about a couple of years ago? Or on the flip side, maybe something that they're listening to this and thinking, "Ugh, I need to worry about this", that they don't really need to worry about?

Jennifer Rosato Perea: Well, I think as we talked about earlier, I think accreditation's really important to know about, because it does protect students. It's a great consumer protection institution. But I think the market may be shifting and changing over the next few years. I think students ought to really keep their eye on that as they're going into law school, thinking about what markets they're going to go into, thinking about how AI integrates with that, and how they should be kind of ahead of the curve on that, rather than waiting for that, because we know that some employers are already thinking that competency should be something that those young lawyers are coming into the workforce with. And I do think financing legal education is going to continue to be something that students really have to be conscious about.

These loan caps are coming, and I think we're not going to know until the students are in law school how that's all going to shake out. But it's something that students really should be ahead of, so they don't get in a situation where they can't afford the next semester of law school.

Alison Monahan: Yeah, that would not be a good situation to find yourself in. So, 100% agree with both of those. I think the AI stuff is coming really fast. I had to do some personal legaling recently, and it was amazing what I could do very quickly and very well, frankly. I was honestly kind of shocked. So, I think that's definitely something people want to stay ahead of. Alright, well, any final thoughts you'd like to share here, whether for current students, prospective students, or just really the law school community more broadly?

Jennifer Rosato Perea: Oh no, I think we've covered a lot of the bases. I think it's really important, like your podcast is doing, just making sure that students going into law school, thinking about law school, are knowledgeable and savvy and proactive. That's really important. And I would just direct them to our 509, as we call them, which is the consumer information that we collect on all law schools. You can look at it. Just go on our website – you can see aggregate information, you can see information of every law school. And it can help you figure out the basics: financing, admissions policies and practices, faculty, clinics, things like that, because you want to be knowledgeable about the law school that you're going to go into. It's a really big investment, and so having that knowledge and having the power as a consumer with that knowledge is really important. It's worth the time.

Alison Monahan: I 100% agree. It's always kind of shocking to me when people have just not done that much research on something. I'm like, "Do you understand how much this is going to cost you in terms of time and money?" This is a really big deal.

Jennifer Rosato Perea: Yeah, yeah. And law schools on paper... And like I said, I've been a dean at a number of schools, I visited so many schools as part of accreditation and other things. They look the same on paper, but they're not the same when you walk into that community and what they offer and all the things. And so, I think that's really important, too, as students are going on that journey.

Alison Monahan: I agree. And I think just the more information you can get, visit the school, talk to people... Because even in the same city, you might have very similar ranked schools that just have a very, very different feel, and you've got to find the right spot for you.

Jennifer Rosato Perea: Absolutely.

Alison Monahan: Alright, Jennifer. Well, thank you so much for joining us. This was really helpful.

Jennifer Rosato Perea: Yeah, great to be here. Thank you, and happy to come on again. But hopefully accreditation will not be such a hot issue in the years to come.

Alison Monahan: Yeah, hopefully those of us who aren't involved in it day-to-day will go back to not really thinking about it that much, and just kind of assuming it's all working. And yeah, thanks also to the ABA for reaching out and proposing this. I think it's been a really interesting talk.

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