



Committee for the Evaluation of Law Study Programs

College of Law and Business

Evaluation Report

2015

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Chapter 1- Background

The Council for Higher Education (CHE) decided to evaluate study programs in the field of Law during the academic year of 2014.

Following the decision of the CHE, the Minister of Education, who serves ex officio as Chairperson of the CHE, appointed a Committee consisting of:

- **Prof. Edward B. Rock**- University of Pennsylvania Law School, Pennsylvania, USA: Committee Chair
- **Prof. Arye Edrei**- Tel Aviv University Faculty of Law, Israel
- **Prof. Silvia Ferreri**- University of Turin Law School, Turin, Italy
- **Prof. Stewart J. Schwab**-Cornell University Law School, Ithaca, New York, USA
- **Lucie E. White**- Harvard Law School, Cambridge, Massachusetts, USA
- **Prof. David Schizer**- Columbia Law School, New York, USA

Ms. Alex Buslovich-Bilik - Coordinator of the Committee on behalf of the CHE.

Within the framework of its activity, the Committee was requested to:¹

1. Examine the self-evaluation reports, submitted by the institutions that provide study programs in Law, and to conduct on-site visits at those institutions.
2. Submit to the CHE an individual report on each of the evaluated academic units and study programs, including the Committee's findings and recommendations.
3. Submit to the CHE a general report regarding the examined field of study within the Israeli system of higher education including recommendations for standards in the evaluated field of study.

The entire process was conducted in accordance with the CHE's Guidelines for Self-Evaluation (of October 2013).

¹ The Committee's letter of appointment is attached as **Appendix 1**.

Chapter 2-Committee Procedures

The Committee held its first meetings on May, 7th, 2014, during which it discussed fundamental issues concerning higher education in Israel, the quality assessment activity, as well as Law Study programs in Israel.

In May 2014, the Committee held visits of evaluation, and visited the College of Management, Sha'arey Mishpat College, College of Law and Business and Haifa University. During the visits, the Committee met with various stakeholders at the institutions, including management, faculty, staff, and students.

This report deals with the Department of Law at the College of Law and Business. The Committee's visit to the College of Law and Business took place on May, 14th, 2014.

The schedule of the visit is attached as **Appendix 2**.

The Committee thanks the management of the College of Law and Business and the Department of Law for their self-evaluation report and for their hospitality towards the committee during its visit at the institution.

Chapter 3: Evaluation of Law Study Program at College of Law and Business

This Report relates to the situation current at the time of the visit to the institution, and does not take account of any subsequent changes. The Report records the conclusions reached by the Evaluation Committee based on the documentation provided by the institution, information gained through interviews, discussion and observation as well as other information available to the Committee.

1. Executive Summary

With a high quality faculty, CLB is able to provide a solid legal education to a large number of students. A key accomplishment – in part, a result of collective bargaining – is that CLB provides for faculty governance and continuity of faculty that is nearly on par with that offered by the university law faculties. The benefits of this shine through, with a clear demarcation between the academic and business sides of the institution, and with a deep faculty commitment to the academic program and the school. CLB serves a wide range of students, with the very best on par with the graduates of the university law faculties. It has also been particularly effective in providing support to its Arab students.

CLB is clearly aware of the challenges it faces, including declining enrollments, the need for remedial programs for some of the students who arrive without adequate preparation, and challenges to its graduates in finding jobs. We come away convinced that CLB will face these challenges and develop appropriate responses.

2. Organizational Structure

- Observation and findings

The College of Law and Business (CLB) has taught law since 1996. In 2007, it established a School of Business that offers B.A. degrees in Business Administration and Accounting. Law remains the main program at CLB, with 1484 students, compared to 178 in Business Administration and 111 in Accounting. Our review is limited to the law program.

CLB is structured to separate the academic from the business sides. There is a clear sense among the faculty that academic matters are handled by academics, with no interference from the “business” side. Faculty members, both senior and junior, are clearly dedicated to instruction, research and their role in the management and success of the institution.

Organizationally, substantial faculty governance is achieved through faculty committees. In addition, faculty members have long term contracts and regular

sabbaticals. Through collective bargaining, there is protection against discharge that makes the long term contracts close to academic tenure. Interestingly, the “CEO” and the dean of the law faculty each report to the president of the CLB (Prof. Menashri), making the dean more of an “academic” dean, rather than head of the law school on the U.S. model.

Beyond the formal organizational structure, two features have a decisive impact on the structure of CLB. First, like other private law colleges, CLB has a small number of faculty and a large number of students, creating a key organizational challenge in the delivery of an adequate legal education. With 1484 students and 22 full time members of the faculty, COM has a student teacher ratio of approximately 67:1. Although complying with CHE’s maximum of 80:1, it is still extremely high, far higher than university law faculties in Israel. This very high student teacher ratio dictates that a significant number of credits come from required core courses taught in large groups (112/140 credits taught in sections of 120 to 147), large elective classes (70-80 students), the utilization of adjunct lecturers, and few small group learning opportunities.

Second, like other law colleges, CLB is grappling with the decline in law school applications in recent years, and the intense competition for those students who remain. In recent years, CLB has reduced its entering LLB class from 667 (in 2008-09) to 416 (in 2012-13), so as not to lower admissions standards. This is an extraordinary step, with huge financial implications, and is all the more admirable as it was achieved without discharging faculty members.

We found that the faculty members of the college, both its senior and junior members, are very devoted and dedicated to instruction, to research, and to their role in the management and success of the institution. Some of the problems that we observed here are similar to those encountered in other institutions. These include the small size of the academic faculty, the large student-teacher ratio, a low standard for admission, a large gap between capable and weak students, and low attendance levels in classes. In addition, there are few elective courses which, as a result, have large enrollments of 70-80 students. This gives students very little opportunity to work in small groups, to express themselves, and to develop study skills. A vast majority of classes are in relatively large groups and are delivered as frontal lectures.

It is praiseworthy that the college has significantly reduced its enrollment in order to maintain a minimum standard of admissions.

Finally, we were impressed with the warm and caring student support structure, staffed by an energetic placement director and supportive coordinators.

**Recommendations
Advisable:**

1. We recommend that CLB make strong efforts to improve its student-teacher ratio, either by recruiting more faculty members or by reducing the number of students.
2. As described in more detail in our general report, we believe that the CHE should receive information on the financial condition of the college, so as to enable it to evaluate some of CLB's key financially-driven educational choices.

3. Mission and Goals

- Observation and findings

The College of Law and Business identifies its core mission to be the advancement of weaker segments of the society from the periphery, and the pursuit of social justice. SS at 5, 11. In recent years, it has expanded its mission to "going global." SS at 11. In our view, there is potentially a tension between these missions, perhaps to a greater extent than the school recognizes.

Thus, for example, the president and the dean both spoke of their aspiration to open an English track, and complained that their proposal had been rejected by the CHE. It is not clear to us that this ambition fits perfectly with CLB's articulated mission of advancing "peripheral" students or pursuing social justice.

The focus on teaching in English, and the clear ambition to revisit CHE's rejection of the proposed English track, seems mainly to be a response to the fierce competition in the market rather than a strategy for achieving its stated mission. Although their stated ambition for the English track (to attract students from the United States who might wish to take advantage of the much lower cost of tuition in the college versus US law schools) strikes us overly optimistic, an emphasis on English could plausibly give CLB graduates an advantage in the local legal market.

Recommendations:

Advisable:

There seems to be a tension between CLB's stated mission and its current ambition to offer a "global legal education," which suggests that it should either revisit its understanding or statement of its mission or revisit its current ambitions.

4. Study Programs

- Observation and findings

As noted above, CLB, like other law colleges, adjusts to the very high student teacher ratio by adopting a study program based on mandatory courses (112/140 credits), taught in large sections (120-147), with few electives (often with large numbers of students), and few opportunities for small group learning experiences.

The syllabi for the mandatory courses show that the courses cover the standard topics in the fields. Indeed, because many of the mandatory courses are taught by lecturers who have taught or who currently teach in the university law faculties, the syllabi look very similar.

CLB has adopted a variety of strategies for handling the challenge presented by a very high student-teacher ratio. Its four “specializations” (in addition to the “general program,” Human Rights, Criminal Law and Criminology, Commercial Law and Family Law) provide at least a limited opportunity (limited by the small number of elective credits) to focus on a specific field, and to self-select into smaller learning opportunities. It seems that these tracks function extremely well. They succeed in focusing the students and enriching them. The faculty is very active in organizing seminar days and deliberations on real legal issues. Guest speakers for these special programs include researchers from the universities and other law colleges, as well as lawyers and judges from the field with expertise in different aspects of law. The seminar days are open to all students, and students studying in one of the four tracks are required to participate in two seminar days each year. This leads to a high level of participation in these enriching activities that give the students access to leading and influential jurists and scholars.

For the best students, there is an impressive variety of opportunities for enrichment and more personal attention, including study abroad, courses taught in English by visiting faculty, selective clinics, work on the faculty’s English language law review, Law & Ethics of Human Rights, and frequent conferences. In addition, there is some sort of “honors” program (see SS at 38) and, within at least the Commercial Law Program, an “Excellence Program.” The significant number of courses given in English provide enrichment and small group learning opportunities for those students who choose (and whose English is adequate) to take them.

With regard to job placement, the College also makes special efforts to advance the upper stratum of outstanding students, who can effectively represent the college. Thus, for example, we heard that the College helped 25 students obtain interviews in leading firms. This represents approximately 6% of the students in that class.

This focus on top students involves a tradeoff, to the extent that correspondingly less attention is paid to other students.. SS at 39-40. There are different views among the faculty on how best to improve the educational experience for students outside of the top tier, made especially pressing by the poor preparation of many admitted students.

The program includes a three semester required course in legal writing, a model that should be adopted by other institutions. Similarly, the faculty offers an excellent course in legal argument. Nevertheless, it is important to point out again that there are very few elective courses, and that the few that exist have enrollments of over 70 students.

Student attendance and class preparation are both serious issues. Different faculty members adopt different approaches including some who take attendance in required courses and smaller seminars, others who provide bonus points for participation.

We were very impressed by the support given to Arab students in order to integrate them and to help them overcome difficulties. These efforts could serve as a model for other institutions. The College has hired an Arab graduate to spend a few days a week in the College to help the Arab students - not just to aid them in their language and studies, but also generally to give encouragement, support, and guidance. We were very impressed that the College provides these students with a "place" to come and to speak in their language with someone who recently faced the exact same experience that they are facing. This provides a significant degree of help for students who are in need of support. We recommend that other institutions consider replicating this model. Impressively, with this program, the bar passage rate has increased from 40% to 75% for Arab students, identical to the passage rate for other CLB students.

Recommendation

1. We believe that the college should make efforts to increase the number of elective courses offered by members of the faculty or outstanding adjunct professors, and to limit the number of students in such courses to 40. This will create more opportunities for students to conduct in-depth study in smaller, more intimate groups.
2. We believe that the college should pay more attention to teaching writing and skills.

5. Human Resources / Faculty

- Observation and findings

The College of Law and Business has a talented and motivated faculty with deep and broad expertise in a range of methodologies and substantive fields. The faculty is deeply engaged in the governance of the institution. It is also committed to the School's mission of training students from the periphery, as well as helping students develop international expertise.

The faculty is supportive of the School's efforts to reduce class size, encourage attendance, and expand the number of clinics and electives. The faculty recognizes the importance of pacing instruction so that it is appropriate for the very strongest students as well as for the rest of the class. The School has made particular efforts to ensure that Arab students have the support they need to succeed.

6. Students

- Observation and findings

As noted above, attracting a sufficient number of qualified students to CLB has been a continuing challenge. CLB should be commended for reducing class size rather than lowering entry standards. Apparently, even with a smaller class, the challenges continue driven by a combination of increasing competition from other law colleges and a general reduction in students interested in studying law.

We were very impressed with the students we met. Clearly among the best students at CLB, they were smart, ambitious, well spoken (even in English) and fine representatives of their school. They also expressed great affection – even love – for their school.

There are gaps between the few students who excel and the majority who are on a much lower level. Some of the students are pursuing a second career, and their life experience contributes to the learning and enriches discussions. As noted above, these gaps are a challenge that CLB is aware of and working to overcome.

7. Teaching and Learning Outcomes

- Observation and findings

Internal measures:

From what we can tell, the syllabi are comprehensive and the rigor of exams and the grade distribution are within the normal range. Faculty members are well qualified, knowledgeable and clearly committed to teaching and to maintaining high standards.

Thus, the “inputs” to the students’ education are high quality. In a brief visit, of course, there is no way to form any judgment regarding what the students actually learn. Like other law schools in Israel, student attendance is clearly an issue, especially after the first year.

External measures:

In recent years, dropout rates during or after the first year have been around 20%. While this is quite high in absolute terms, we express no view as to whether it is excessive. As part of its admissions policy, and part of its mission, CLB seeks to educate peripheral students. In various ways -- through a now discontinued preparatory program, through a preparatory program for students older than 30, through its “open gate” program – CLB provides opportunity for a legal education and a profession to students who do not meet the normal admissions requirements. They are accepted to the first year program, but for advancement to the second year, they are required to meet higher expectations. It is possible that this admissions policy explains the dropout rate, but, because CLB does not collect sufficient data, we cannot be sure.

As to the ultimate “external measure,” namely, placement in internships, bar passage, and ultimately finding legal employment, CLB does not keep any systematic data. Although the dean had an impressionistic sense of placement, he did not have any clear picture.

Recommendation:**Essential:**

As discussed in our General Report, we recommend that CLB collect comprehensive and detailed data on placement outcomes (both internships and permanent employment) for their students and publish those data on their website. For students considering studying law, knowing up front how many graduates find internships, and of what sort, as well as their permanent employment, will be enormously valuable. Likewise, better data on students and outcomes will aid CLB in meeting its mission and goals, and in better understanding which students drop out during the program.

8. Research

- Observation and findings

Although teaching loads are 8 points per semester, which is heavy (at least by U.S. standards), faculty members are actively engaged in research across a broad range of fields. It is impressive that the School provides a research budget every year, and also guarantees sabbaticals to faculty members every six years, notwithstanding the financial challenges in doing so. Faculty members emphasized the importance of these research budgets and sabbaticals in enabling them to raise the level of their research.

In terms of faculty governance and terms and conditions of employment, including sabbatical and research budgets, CLB approaches the universities. We were told that this is explained by collective bargaining: the academic faculty is unionized, and presented the administration with specific demands. This fact is notable, as it raises a question regarding the claims we heard from other institutions that they do not have the financial capacity to provide sabbaticals and research support. This contrast should motivate the CHE to find a way to create transparency in the financial affairs of the “private” institutions, as discussed in our General Recommendations.

As discussed in our General Report, CLB, like other Israeli law schools, seeks to strike a balance between encouraging international and domestic research. Scholarship in English can reach a wider audience. This is especially true if the scholarship uses the same methodological approaches as the scholarship of U.S. legal academics and engages in international debates. This is an important strength of the faculty of the College of Law and Business and, indeed, of the Israeli legal academy as a whole.

Nevertheless, there are also important advantages to producing scholarship in Hebrew that focuses on domestic legal issues. Like all systems, the Israeli legal system faces difficult challenges, and thus benefits from scholarship that focuses on these issues. By writing in Hebrew, Israeli legal academics can be more effective in reaching domestic decision-makers in government and industry.

Yet the School’s standards for promotion emphasize foreign publications. As with other Israeli law schools, then, the College of Law and Business faces a challenge in striking an appropriate balance between these important international and domestic goals.

9. Infrastructure

- Observation and findings

The college is situated in one rather large building, with 6 floors, decorated by modern design, lively colors (mainly in red and grey), many signs and inscriptions about “global law” that confirm the commitment chosen by the school as its slogan and attractive feature. The structure has been completely refurbished and modernized from the previous use as a high tech factory. Some of the limits connected with the previous use are evident, for instance in the presence of concrete pillars in some classes in positions that interfere with the view towards the blackboard and the projecting screen.

The entrance hall is very bright, animated by many students using the area as meeting room, with some space dedicated to conversation and discussion by groups.

The area where the college is located is in rapid transformation from a middle class residential neighborhood to a more financial, dynamic business district. The managing body of the college is proud of its location and even planning (in an undefined future) to add to the roof a sort of penthouse building to host the faculty meeting room that at the moment is located on the 5th floor in a rather small room, with glass separation from the corridor where the Dean’s office and other administrative areas are located.

The building is not far from a railway station that facilitates access for students living farther from the area.

The classrooms are of two kinds: large lecture halls for mandatory courses; and smaller classrooms that can adjust up to 70 students attending elective courses. As the trend of matriculation in law schools seems steadily to decrease in recent years, as referred elsewhere in the report, the problem of including all students in large classes may spontaneously disappear, while a re-arrangement of some space may afford more rooms for smaller groups and seminars, highly praised by the students who declare to be most interested in practical training and the development of skills (some popular seminars have long waiting lists, for instance in arbitration law).

The clinics have a dedicated area where the instructors can meet the students and interview clients when this is required.

The administrative offices combine student services with telemarketing to prospective candidates who wish to be better informed on the programs, policies, job placement etc.

The library is equipped to provide the necessary tools for the level of study required by the students and has remote access to the main periodicals. It also

provides room for silent study, in order to meet the needs of people who prefer to read in a more quiet area. Some rooms are available to students for group preparation and discussion teams.

10. Self-Evaluation Process

- Observation and findings

The Self Study report highlights the school's strengths, without a corresponding effort to uncover potential weaknesses. Consequently, the report does not offer the kind of rigorous self-reflection that sometimes emerges, and can be so valuable, in a self-study.

Chapter4: Summary of Recommendations and Timetable

Recommendations

Essential:

As discussed in our General Report, we recommend that CLB collect comprehensive and detailed data on placement outcomes (both internships and permanent employment) for their students and publish those data on their website. For students considering studying law, knowing up front how many graduates find internships, and of what sort, as well as their permanent employment, will be enormously valuable. Likewise, better data on students and outcomes will aid CLB in meeting its mission and goals, and in better understanding which students drop out during the program.

Advisable:

We recommend that CLB make strong efforts to improve its student-teacher ratio, either by recruiting more faculty members or by reducing the number of students.

As described in more detail in our general report, we believe that the CHE should receive information on the financial condition of the college, so as to enable it to evaluate some of CLB's key financially-driven educational choices.

There seems to be a tension between CLB's stated mission and its current ambition to offer a "global legal education," which suggests that it should either revisit its understanding or statement of its mission or revisit its current ambitions.

We believe that the college should make efforts to increase the number of elective courses offered by members of the faculty or outstanding adjunct professors, and to limit the number of students in such courses to 40. This will create more opportunities for students to conduct in-depth study in smaller, more intimate groups.

We believe that the college should pay more attention to teaching writing and skills.

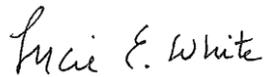
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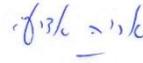
Prof. Edward B. Rock



Prof. Silvia Ferreri



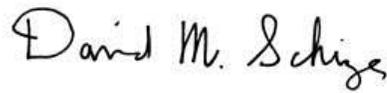
Prof. Lucie E. White



Prof. Arye Edrei



Prof. Prof. Stewart J. Schwab



Prof. David Schizer

Appendix 1: Letter of Appointment

April 2014

Prof. Edward B. Rock
University of Pennsylvania Law School,
Pennsylvania
USA

Dear Professor Rock,

The Israeli Council for Higher Education (CHE) strives to ensure the continuing excellence and quality of Israeli higher education through a systematic evaluation process. By engaging upon this mission, the CHE seeks: to enhance and ensure the quality of academic studies, to provide the public with information regarding the quality of study programs in institutions of higher education throughout Israel, and to ensure the continued integration of the Israeli system of higher education in the international academic arena.

As part of this important endeavor we reach out to world renowned academicians to help us meet the challenges that confront the Israeli higher education. This process establishes a structure for an ongoing consultative process around the globe on common academic dilemmas and prospects.

I therefore deeply appreciate your willingness to join us in this crucial enterprise.

It is with great pleasure that I hereby appoint you to serve as the chair of the Council for Higher Education's Committee for the Evaluation of the study programs in Law. In addition to yourself, the composition of the Committee will be as follows: Prof. Arye Edrei, Prof. Silvia Ferreri, Prof. Richard L. Revesz, Prof. David Schizer, Prof. Stewart J. Schwab and Prof. Lucie E. White.

Ms. Alex Buslovich-Bilik will be the coordinator of the Committee.

Details regarding the operation of the committee and its mandate are provided in the enclosed appendix.

I wish you much success in your role as the chair of this most important committee.

Sincerely,

Prof. Hagit Messer-Yaron
Deputy Chairperson,
The Council for Higher Education (CHE)

Enclosures: Appendix to the Appointment Letter of Evaluation Committees

Appendix 2: Site Visit Schedule

Law- Tentative schedule of site visit
College of Law and Business, Ramat Gan

Wednesday, May 14, 2014

Time	Subject	Participants
09:00-09:30	Opening session with the heads of the institution and the senior staff member appointed to deal with quality assessment	Prof. David Menashri, President Prof. Moshe Cohen-Eliya, Dean Dr. Yaad Rotem, Vice Dean Mr. Ori Liber, CEO
09:30-10:30	Meeting with the Dean of the Faculty of Law	Prof. Moshe Cohen-Eliya, Dean
10:30-12:00	Meeting with senior academic staff (representatives of relevant committees and programs)*	Prof. Yossi Dahan Prof. Boaz Sangero Prof. Rinat Kitai-Sangero Dr. Gila Stopler Dr. Iddo Porat Dr. Omer Dekel
12:00-12:45	Lunch (in the same room)	Closed door meeting of the committee
12:45-13:45	Tour of facilities: classrooms, library, labs, offices	Mr. Asher Moyal
13:45-14:30	Meeting with junior academic staff	Dr. Uri Benoliel Dr. Ronit Donyets-Kedar Dr. Dov Solomon Dr. Shelly Kreiczler Levy Dr. Tally Amir Dr. Eyal Katvan
14:30-15:15	Meeting with adjunct academic staff	Adv. Amiram Gill Adv. Neta Dagan Adv. Ariel Manor Adv. Ran Lustigman Dr. Roit Dahan
15:15-16:30	Meeting with BA students**	Ms. kayla zecher – Third Year Ms. Noam Prise – Third Year Mr. Amit Sofer – Third Year Mr. Tuval Gat – Third Year Mr. Liraz Levi – Third Year Ms. Moria Friedman – Third Year

		Mr. Amnon keren – Third Year Mr. Shay Rosen – Third Year
16:30-17:15	Meeting with Alumni**	Adv. Daniel Chen Adv. Anar Dadshav Adv. Moran Regev Adv. Stas Shamis Adv. Maya Yahav Philosoph Adv. Shimon Kadosh
17:15-17:30	Closed committee meeting	
17:30-18:00	Closing session with heads of institution and the Dean of the Faculty of Law	Prof. David Menashri, President Prof. Moshe Cohen-Eliya, Dean Mr. Ori Liber, CEO

* The heads of the institution and academic unit or their representatives will not attend these meetings.

** The visit will be conducted in English with the exception of students who may speak in Hebrew and anyone else who feels unable to converse in English.