

IN THE SUPREME COURT OF TENNESSEE
AT NASHVILLE

IN RE: APPLICATION OF APPALACHIAN SCHOOL OF LAW,
PETITIONER

No. M2000-00053-SC-BLE-CV

FILED

May 30, 2000

Cecil Crowson, Jr.
Appellate Court Clerk

ORDER

Pursuant to Supreme Court Rule 7, Article 14.01 the Petitioner, Appalachian School of Law (hereinafter "ASL") appeals the denial of the Tennessee Board of Law Examiners to allow graduates of the ASL to sit for the Tennessee bar exam.

Petitioner is in its third year of operation. Petitioner avers that "At its August 5, 1999 meeting, the ABA Council on Legal Education and Admissions to the Bar found ASL to be in the requisite 'substantial compliance' with the fifty-one (51) ABA Standards for Approval of Law Schools, including the Program of Legal Education (Standards 301 to 307), with two exceptions: low admissions standards and inadequate institutional finances. Based on those two exceptions, the ABA Council denied ASL's accreditation application. Since ASL will fully rectify the two exceptions by no later than August, 2000, ASL is in the process of timely filing a second application for ABA accreditation which appears will be granted."

Based upon the denial of accreditation by the ABA, the Tennessee Board of Law Examiners denied ASL's request based upon Article II. Section 2.02 states:

Approval of Law Schools. Each applicant to take the examination must have completed a course of instruction in and graduated from a regularly organized law school which is accredited by the American Bar Association, or one which as been approved by the Board pursuant to Section 2.03.

Section 2.3 allows approval by the Board of only law schools located in Tennessee. ASL is located in Virginia and not in Tennessee and therefore is not eligible for approval by the Board. No provision in our rules authorizes approval or investigation by the Board of Law Examiners of law schools which are not located in this state.

Petitioner requests this Court to reverse the determination of the Tennessee Board of Law Examiners denying its graduates to sit for the Tennessee bar exam. This Court has considered the petition of ASL and has concluded that it should be denied.

PER CURIAM