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BULGARIAN INSTITUTE FOR LEGAL INITIATIVES

RATING OF LEGAL EDUCATION IN BULGARIA 2010



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BACKGROUND INFORMATION

1. Statement of rating's grounds

Despite its direct effect on the attainments of rule of law, the last two decades university legal education was not one of the primary goals of the efforts to reform judicial system's institutions in Bulgaria. The significantly increased number of law schools did not lead to further competition or substantial change in the quality of the offered educational product. The historically imposed at the beginning of the 90s academic independence resulted in the alienation of the state from the enunciation of policies and a vision of the development of the sector at the expense of the strengthened role of academics. Last but not least, the final users of the educational product were deprived of participation in the processes of developing the curriculums, thus the preparedness of future lawyers was isolated from the altering needs of the market.

Considering the circumstance that the quality legal education is an essential instrument and at the same time an important prerequisite for the successful conduct of judicial and legal reform, the Bulgarian Institute for Legal Initiatives (BILI) tried to find an unconventional approach to evaluate the need of change in the existing status quo. Main instruments used to achieve a significant change in the management of educational processes were the encouragement of real competition among law faculties and tying the framework of legal education with the requirements of the market and the final users. The development and pilot application of a rating of legal education in this way offers a market – orientated perspective, directed towards assistance with the responsibilities standing before the Executive branch, accreditation bodies and law faculties. Furthermore, the rating system serves as a starting point for future students to select a higher education institution and for employers when they hire cadres, thus contributing to the set up of a more transparent labor market of legal cadres.

2. Goals of the rating

2.1. To encourage greater transparency in relation to the functioning of law schools. The main goal of the rating is to develop an objective, thorough and broad picture of the legal education system and the work of the suppliers of the educational products. The user receives, otherwise difficult to gain, information in the form of “current status” of educational

processes reproduced through the prism of series of objective and subjective indicators which have a direct influence on the final educational product and at the same time, measuring the effectiveness of educational processes.

2.2. *To encourage a real competition among law schools.* The development and application of an objective mechanism of evaluation based on internationally established good practices contributes to differentiate the existing law schools in a more complete and grounded way. Proposing a product which allows the final consumers a quick, convenient and unbiased comparison between different faculties in view of academic environment, material and administrative assurance and carrier perspectives serves as a “lever” for future presentation of these institutions and contributes to the overall improvement of the educational product level. The periodical conduct of the Rating offers a dynamic base for a comparison in relation to the different work directions of the faculties, including improvement or worsening in their presentation. The heads of the law schools may also find the Rating results useful in view of the indicators of the quality of the relevant institutions work. Thus, the Rating could assist the efforts of reform disposed academicians to improve the academic and administrative environment in a short term period as well as the legislation related to legal education as a long term perspective.

2.3. *To assist the students in the selection of higher education institution.* Not without a reason, students and their parents have an interest in comparing the advantages and disadvantages of different law schools. In the conditions of ever increasing competition on the labor market, the future lawyers are to pay serious attention to professional suitability and from that point forward to the perspectives for realization which the law schools offer. One of the best ways to attract the attention of future employers is to graduate a faculty which is known for its good reputation. Still, the specifics, which mark a certain faculty as suitable for a student may not be, by all means, valid for another student. Therefore, the future undergraduates should consider a broad range of factors when forming a decision in which university to study.

2.4. *To serve as one of the possible approaches for evaluation of the components, processes and production of higher education in law.* The rating systems can present a comparative information and to improve the understanding of the essence of legal education. Although, they are one of the likely methods, they could be an important instrument for evaluation of the essence and the functioning of the legal education system. Ratings offer a market – oriented perspective (through determination of the perceptions and anticipations towards universities),

which can support the work of the Executive branch bodies, accreditation bodies, the independent evaluating institutions and the law faculties themselves.

2.5. To assure an added value of the product of the good working educational institutions.

Being in its essence an instrument that encourages real market based competition among the suppliers of higher education, the rating's methodology could be used in a mid – and long term plan by the state regulator as a mechanism to bond the state funding with the quality of the offered product and the consumers' satisfaction.

METHODOLOGY

The present research is carried out by Sociological Agency Alfa Research by commission of Bulgarian Institute for Legal Initiatives and it is conducted by the financial support of German Marshall Fund.

“The Rating of Legal Education in Bulgaria” is the first of its kind rating of the university education in law. In the elaboration of the Rating are used elements of different approved methodologies (of the German Center of University Education which publishes its results in Die Zeit magazine, the methodology of The Guardian University Guide for legal education in England and of USNEWS of the World for higher education in Law).

The methodology of *“The Rating of Legal Education in Bulgaria”* indicates how the different law schools are set in order according to the various components of legal education. The components are presented in 11 groups which range over three main sub – components:

1. Academic environment (ration students/ academicians, individual work with the student/ care for the student, rigorousness of students’ treatment, contentment of the students)
2. Material and administrative environment (logistics, libraries and administrative servicing)
3. Career perspectives (employers’ assessment, results from the Attorneys’ exam and the exam for magistrates, focus on the practical side of education)

In order to develop the Rating, the following data was used: objective data which is not influenced by the opinions and the evaluations of different groups (for example, ratio students, academicians, results from different exams and competitions etc.), as well as subjective assessments of students, postgraduates and employers who hire young lawyers.

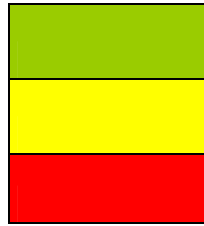
The ranking of the law faculties in different directions is presented as a degree of proximity (respectively remoteness) to the ideal condition of each indicator. For that purpose, all data is reduced to the scale of 2 to 6, where 6 is the highest result in the relevant indicator and 2 – the lowest. The Rating is presented under the guise of three levels of faculty evaluation, indicated with a certain color. The best results are presented in green (evaluations between 4, 65 –

6.00), the mid level is colored in yellow (evaluations between 3, 33 and 4, 64) and the lowest – in red (2, 00 and 3, 32).

Best performance under specific factor (4.65-6.00)

Average performance, need for improvement (3.33-4.64)

Unsatisfactory results (2.00-3.32)



The research intentionally does not put the stress on the general ranking – there is no faculty that could satisfy completely all or the majority of criteria, besides, in the selection of university everybody has his/ her own priorities. On the other hand, the more differentiated the information is, the more useful it would be for its users – for future students of the law faculties as well as for their academicians, for the heads of the faculties and for employers. But yet, we put in order the faculties with their general results (*see the diagram*). They do not represent a mechanical sum of the green, yellow and red fields in the different components of the research, because each of them has a different weight in the final raking. We assumed as more important the career perspectives and the rigorousness of students’ treatment in contrast to the final evaluation of logistics and the administrative servicing.

The Rating of legal education examines a composition of 11 objective and subjective indicators. Even though, the particular indicators have a different weight for the general assessment of the educational product, it is hard to take out of the brackets the most important ones or those which are more difficult to manipulate. Rating, based only on objective or subjective criteria would not be complete and would distort the real picture. The legal education process is not just a mechanical sum of its components but it is a complex system of interactions and subordinations which impact each other constantly. For instance, libraries are directly related to the students’ contentment and the results from the Attorney’s exam.

In addition to the objective indicators such as ration students/ academicians and exams’ results, the students’ assessment of academic and administrative processes in the faculties is irreplaceable. They know for sure if the quality the faculties offer satisfies their expectations and requirements. A circumstance that should not be underestimated is that besides being suppliers of simply “technical” knowledge and skills, the law faculties are also a “social” environment in which the future lawyers are being moulded – their professional concept of

the world; perceptions about what right and morally permissible; career plans; academic interests etc.

Limitations

This Rating is a first attempt to rank the law schools. It could be developed and supplemented, it could become more consistent and stable in the next editions which would indicate not only the current state but to track the tendencies in law faculties' development.

Currently, a big part of the important indicators by which the education is evaluated, is missing because the law schools refuse to submit them or the information needed is not collectable. For example, the expenditures made for services, logistics, books corresponding to the contemporary branches of law which are bought the last 10 years – in Bulgarian and in foreign languages, number of publications and frequency of citations, coefficient for a admission – number of applicants for one spot, average grades from the state exams, number of people with PhDs, students' realization and eventually, the salaries at the first work place. The introduction of such data in the next years will lead to the setting up of a broader picture and will help the candidate students in their selection of a higher education institution.

ABBREVIATIONS

Bourgas Free University	BFU
Varna Free University	VFU
Veliko Tournovo University	VTU
New Bulgarian University	NBU
Plovdiv University	PU
Rousse University	RU
Sofia University	SU
University for National and World Economy	UNWE
South-Western University	SWU

Table 1: Overall rating & Academic Environment

	OVERALL RATING*	ACADEMIC ENVIRONMENT			
		Students/ Lecturers ratio	Individual work with the student/ Attention to the student	Evaluation of the education/ Students' satisfaction	High standards towards students' performance
Sofia University	5,26				
University for National and World Economy	4,82				
Veliko Tournovo University	4,73				
New Bulgarian University	4,60				
Plovdiv University	4,59				
Varna Free University	4,50				
Bourgas Free University	4,47				
Rousse University	4,46				
South-Western University	4,03				

**The individual components are accorded different weight in the Overall Rating. Career Perspectives and the level of Rigorousness of students' treatment have greater weight than the one of the Material Conditions and Administrative Services. For more information – see the text/ the methodology for the Rating*

Table 2: Material and Administrative Environment & Career Perspectives

	MATERIAL AND ADMINISTRATIVE ENVIRONMENT			CAREER PERSPECTIVES			
	Equipment and material infrastructure	Libraries	Administrative Servicing	Evaluation by Employers	Results from Attorneys' and Junior Attorneys' Exams	Appointments following Magistrates' Exams	Practical focus of academic instruction
Sofia University	Yellow	Yellow	Red	Green	Green	Green	Red
University for National and World Economy	Yellow	Red	Yellow	Yellow	Yellow	Green	Yellow
Veliko Tournovo University	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Yellow
New Bulgarian University	Green	Green	Green	Yellow	Yellow	Green	Yellow
Plovdiv University	Yellow	Yellow	Yellow	Yellow	Yellow	Green	Yellow
Varna Free University	Green	Yellow	Yellow	Red	Yellow	Red	Yellow
Bourgas Free University	Green	Yellow	Green	Red	Red	Red	Yellow
Rousse University	Yellow	Yellow	Yellow	Red	Yellow	Red	Yellow
South-Western University	Yellow	Yellow	Yellow	Red	Red	Yellow	Red

I. ACADEMIC ENVIRONMENT

1. Educational process

Students' contentment: To a great extent, the students' contentment of the environment of Bulgarian education is in inverse proportion to the requirements towards them. The contentment in the new universities such as NBU, BFU, VFU, RU, UNWE is greater. However, the requirements towards them, according to students themselves, are not as high. On the contrary, SU is unanimously distinguished as a university which has a reputation of setting very high requirements but at the same time it is known for the poor contentment of the students. The rest of the universities are assessed as being with moderate or low requirements and moderate contentment. The greater criticism towards the legal education in SU, to a great extent, is due to the higher expectations the students there have. However, the essential question here is why universities such as SU which have indisputable reputation among employers and students, does not succeed to live up to its students expectations. Obviously, there is a serious drawback in the quality of education. For instance, the top universities in Germany, England and USA achieve a high level of contentment of their students, while in Bulgaria there is an odd paradox – the best in view of realization and the market, do not give rise to a greater contentment, just the contrary. The main criticism towards them is related to the lack of practical focus of the education, dissatisfaction of teaching methods, obsolete curriculum and the solving of cases and mock trials on rare occasions.

Education: Even though, the old universities generally keep their good positions when it comes to theoretical preparedness, they fall behind in bringing up – to – date the curriculum, the ability to organize the teaching process in order to make the lectures and classes clearer and easier to apprehend, to impose standards which would require a more interesting way of presenting the material, with more examples and real – life cases. The academicians are less motivated and they lack enthusiasm and desire. At the same time, the new universities develop a more active practical preparedness of its students; the academicians there use contemporary, interactive teaching methods but, according to the postgraduates, they are outlined for their low requirements. In the old universities the individual work with students is

poorly represented, while in the newer ones the education, generally, is to a greater extent more students – orientated.

Overall disadvantage: Two areas could be outlined with average and low grades in all faculties. These are the lack of practical focus of legal education and the decreasing attention to students. However, their lack leads to serious gaps in preparedness which is also indicated by employers. Legal clinics still play an insignificant role in the educational process. There are exceptions in RU, PU and BFU, where students point out that they participate in their work.

Even though, legal education currently does not encounter a strong competition from abroad, due to the significant differences between the legal systems, the process of mutual intertwining of legal regulations and the more frequently occurring international cases as a result of the commercial exchange within the unified European market and the migration, the matter of learning EU law will become more and more relevant. Both employers and young lawyers pay attention to that issue. Even with a slow pace these deficits could become a significant disadvantage which could lead to decrease in the number of students, especially career – orientated young people.

2. Sufficient number of lecturers with academic rank

The number of academicians in Bulgarian law faculties is rather variable. For instance, the ration students/ academicians under a labor contract is 7 (in VFU – the university with the most academicians) and 58 in (NBU – with the least). The tendency is similar with the ration students/ general number of academicians under labor contract (VFU – 5, NBU – 32).

However, the lack of clear and stable criterion in the presence of what proportion an optimum educational process is achieved, raises an alarm.

Table 3

	Reissue Students/ Professors (All) employed under a labor contract	Ratio Students/ Professors (having an academic rank) employed under a labor contract
Sofia University	5,26	7,54
University for National and World Economy	6,71	20,89
Veliko Tournovo University	8,16	16,04

New Bulgarian University	14,26	27,80
Plovdiv University	16,73	36,18
Varna Free University	16,92	28,59
Bourgas Free University	19,13	34,00
Rousse University	20,28	39,12
South-Western University	32,37	58,27

The main conclusion that could be drawn from the results of the research is the remaining of the one – way teaching model (along with a lack of individual work with students), where the students are in the passive role of uncritical learning by heart listeners, deprived of any serious possibilities to participate in practical classes. Up to a point, this circumstance could be attributed to the insufficient number of academicians. But even in places where the ration students/ academicians is good, it seems that there is still a lack of variety and flexibility in the teaching methods, consideration for the audience, dialog, visualization and practical work. Furthermore, it seems that the insufficient number of consultation hours, the lack of culture to communicate with the other party, as well as the various engagements of the academicians outside the faculty leads to the lack of satisfactory direct contact and communication between students and their teachers. In practice, the Socrates’ teaching method is seriously limited, as well as the consultations, the team work during classes, drafting of papers and getting marks for them, asking questions after lectures. Last but not least, the lack of individual work with students speaks for the possible lack of motivation in academicians to put some extra effort in working with students.

The Rating results also indicate a disturbing tendency. There is a good ration students/ academicians in only one of the universities in the first half of the. For instance, although, the law faculty of SU is considered to be the main “blood” bank of academicians for other universities, the statistics concerning the ratio number of students/ number of academicians places it in the middle of the raking. This circumstance indicates that the law faculties are probably losing part of their academic staff as a result of a migration to other educational institutions or admit more students than it is reasonable. Therefore, it is necessary to introduce new long – term strategies to develop the academic staff, including measures for encouraging scientific researches, introducing a clear and objective system of academic career.

II. MATERIAL CONDITION AND ADMINISTRATIVE ENVIRONMENT

Material conditions: The new private universities (NBU, BFU, VFU) are in possession of much better material conditions than the old ones – lecture halls, training halls, computer halls, legal – information systems, halls for mock trials. In this regard the old universities meet significant problems – not only the insufficient numbers, but also unacceptable material conditions. Similar is the situation with libraries where there is a drastic difference between the library of NBU and the rest and the lowest are the evaluations of students for UNWE's library.

Administrative Servicing: The administrative servicing is evaluated as the best in BFU and NBU while the worst is in SU where students are three times more critical than the average. The rest of the universities receive average grades.

Disadvantage: There is a lack of career centers in many of the universities and the places where they are present they are still not of a great assistance to students. This is due to the specifics of the labor market as well as to the weak link between the educational institutions and employers. When preparing the curriculum, universities still do not take into consideration the particularities and the requirements which the up – coming realization imposes.

Advantages: Academicians use I – net (although to a different degree) in order to send materials to their students. SWU significantly falls behind within the frames of this indicator and most active are NBU and PU. The administrations of certain faculties also use I – net to communicate with students. In this respect SU and partly RU fall into arrear.

III. CAREER PERSPECTIVES

Evaluation of the market and rigorousness of students' treatment: From the perspective of the employers the Sofia University remains the unchallenged leader in preparing young lawyers. Its students have the best results at the exams for becoming attorney or junior attorney as well as at the competitions for junior magistrates. According to the employers the

Law School of Sofia University provides substantially better training to its students than the rest. Moreover, when compared to the rest - Sofia University Law School leads by a significant margin. It is the only Law School evaluated both by the students and the graduates of its competitors as an institution of very high requirements for its students. In calculating this result – for each Law School the opinion of its students/ graduates as to it have been excluded and only cases where the respondents have identified a competitive university have been factored in.

The good standing of the Sofia University on the labor market however is quite fragile. First, because the employers seem to be according less and less importance to the Law School that the candidate for a position has graduated from. Second, because regardless of their good employment, Sofia University graduates are distinguished by their lowest satisfaction from their educational experience and have indicated a number of concrete criticisms on the manner of instruction, the insufficient presence of practical forms of training etc. The low level of satisfaction of Sofia University's law graduates has to be monitored with a high attention as it is a clear indicator for an erosion of the quality of the education.

It is difficult to determine whether the widely shared opinion that Sofia University has a serious lead in the quality of its legal education is based on objective indicators or is rather the result of long-standing repute. The present Rating is the first attempt to provide an objective analysis and evaluation of the correlation between the quality of the provided education and the career perspectives.

It is worth noting that the better results at attorneys' and magistrates' exams and the preference by employers are mostly related to the higher level of academic rigor and to a lesser extent to the general satisfaction of the students and the reissue students/professors. It appears possible to achieve good results at the attorneys'/magistrates' exams without a greater practical focus of the instruction. This fact indicates that attorneys'/magistrates' exams are still mostly focused on evaluating the theoretical knowledge and the ability for mechanical memorization rather than the practical and logical thinking skills. In addition, it is an interesting fact that the good administrative and material environment not always leads to improved career perspectives. It is possible that this is the result of the better general motivation of the Sofia University students, where the material circumstances are subprime.

In all events, it is difficult to determine to what extent this higher general motivation is the product of a stimulation academic environment or of reasons beyond the university educational level (i.e. better preparation at the secondary education level, socio-economic factors, intelligence, etc.).

Last but not least, it should be noted that on the whole the students continue to graduate without acquiring important basic practical skills for their professional practice. The general perception that the law faculties produce young lawyers that are not well prepared and cannot meet the needs of the market is reinforced. In the general case the graduates have good theoretical training but are deprived of the skills enabling them to apply this knowledge in practice. In result lengthy and often expensive further training is necessary by the law graduate and her employer to compensate for the omissions and to upgrade the received university education.

APPENDIXES

Table 4

Results from Attorneys' and Junior Attorneys' Exams *	
Sofia University	54,45%
University for National and World Economy	33,93%
Veliko Tournovo University	31,25%
New Bulgarian University	30,56%
Plovdiv University	29,00%
Varna Free University	25,27%
Bourgas Free University	21,02%
Rousse University	18,84%
South-Western University	14,77%

** % of the successfully passed and granted a license to practice as attorneys*

Table 5

Appointments as a result from Magistrates' Exams *	
Sofia University	7,04%
University for National and World Economy	5,83%
Veliko Tournovo University	5,73%
New Bulgarian University	5,63%
Plovdiv University	4,88%
Varna Free University	3,20%
Bourgas Free University	2,33%
Rousse University	2,02%
South-Western University	1,96%

**% of appointed as a result of the examination*

Table 5

The opinion of employers as to which legal faculties provide better training and which – weaker.*		
	Better training	Weaker Training
Sofia University	72,0%	1,5%
University for National and World Economy	21,0%	14,5%
Veliko Tournovo University	16,0%	11,5%
New Bulgarian University	14,5%	11,5%
Plovdiv University	11,5%	23,0%
Varna Free University	6,0%	36,5%
Bourgas Free University	4,5%	40,5%
Rousse University	3,0%	44,0%
South-Western University	1,5%	32,5%

**Survey among employers of young legal professionals*

Table 6

Percentage of graduates considering the standards of the respective law school to be high*	
Sofia University	41,61%
University for National and World Economy	17,45%
Veliko Tournovo University	16,78%
New Bulgarian University	10,07%
Plovdiv University	6,71%
Varna Free University	3,36%
Bourgas Free University	2,01%
Rousse University	0,67%
South-Western University	0,67%

** The table contains only the responses on competitive laws schools. Responses concerning the respondents' own law school of are excluded.*