

October 23, 2020

Dear Members of the Law School Community:

I write to announce that the Widener Delaware Law School will continue to conduct its academic program in the spring 2021 semester in the remote format under which we have been operating in the fall.

We have reached this difficult decision after carefully weighing all the competing considerations. Most significantly, the health and safety protocols appropriately required in contending with the COVID-19 pandemic would have severely limited the Law School's ability to offer in-person classes. Many law school courses have enrollments greater than 25, the maximum safe capacity for even our largest classroom spaces, so that even as to the small number of courses that could be in-person, most students would attend class in-person for only one session a week. All professors would be required to wear masks while teaching. Additionally, all students and faculty would be required to wear masks and socially distance at all times, outdoors and indoors, on the campus, and be tested for COVID every four days. Against this backdrop, we reached the difficult judgment that intellectually and socially, this model of education would be inferior to our current fall experience with remote learning.

We will continue to monitor pandemic conditions and the recommendation of health officials and experts. If conditions were to change substantially as the spring semester progresses, easing restrictions, we remain open to permitting more voluntary on-campus classes and activities.

Please note that you should monitor communications from the Delaware Dean's Office specific to the Delaware Campus. Announcements targeted at the Widener undergraduate programs in Chester do not always apply to the Delaware Campus. For example, the University has postponed the start date for undergraduates by two weeks and eliminated the spring break for undergraduates, so as to put in place a two-week quarantine after the holidays before undergraduate classes commence. **In contrast, Delaware Law School is adhering to its original start date of January 6, 2021, and we will continue with our planned Spring Break, in the first week of March.**

The remote practice of law is the norm right now in Delaware and many jurisdictions, and likely to continue to be the standard well into 2021. Trials, conferences, negotiations, mediations, depositions, and meetings in litigation matters, for example, are currently conducted remotely. Yet, the quality of justice remains high. While there are many academic and professional disciplines that, as a practical matter, are extremely difficult to conduct effectively in a remote environment, law teaching and law practice are not among them.

The faculty has put tremendous energy into creating the highest possible educational experiences in the remote format. In its most recent deliberations the faculty resolved to alter our class schedule in

the spring semester to better align with remote education. Previously, we had no practical choice but to simply take our pre-existing “in person” class schedule and move it online. Over the summer, faculty adjusted their teaching to recognize the unique requirements of remote teaching and learning. Now, with additional time to plan, we will continue to make improvements in scheduling, as well as continuing to enhance pedagogical techniques.

To conclude, all of us yearn for the time in which the practice of law and the teaching of law will return to traditional in-person interactions. As we move into early 2021, however, the arc of the pandemic is not diminishing. Given the risks attendant to in-person opening of the campus, and our confidence that superb legal educational experiences can be delivered remotely, we have made the judgment to continue in the remote format.

Sincerely,

/s/ Rodney A. Smolla

Rodney A. Smolla
Dean and Professor of Law