

Students' Legal Services
Benchmarking Summary
August 4, 2003

By July 2004, Students' Legal Services will have undergone a major transformation. Representation in criminal and traffic cases will be dropped, and a new component -- a Tenant Union -- will be created. The focus of Students' Legal Services in the immediate future will be off-campus housing. Among other functions and services, the Tenant Union will develop a means of communicating information about landlords to students seeking housing outside of the residence halls.

One possible avenue for such communication is the Internet. A web page could convey information not on what housing is currently available but also inform potential renters of a landlord's reputation with current and past tenants -- for returning deposits, for responding to emergencies, for respecting privacy, for price and so on.

Accordingly, a number of Students' Legal Services attorneys across the nation were queried about (a) whether their office (or another department at their school) provides any sort of rating of landlords, (b) if they do, then whether a web-board is utilized and (c) their views regarding the potential pros and cons of communicating via a web board.

Of the officially-identified benchmarking schools, only Bowling Green State has an Students' Legal Services operation comparable in scope to Illinois State University. For this reason, inquiries were also made to University of Illinois at Champaign-Urbana, University of Minnesota, University of Michigan, University of Colorado at Boulder, University of Texas at Austin, Arizona State, Ohio State, University of Washington, Texas A&M, and University of North Carolina at Chapel Hill.

Attorneys from these schools shared their experiences and their views, and made reference to practices at other schools with which they were familiar.

It appears about one third of surveyed schools provide information in some form regarding reputations of private landlords. Many express the opinion that the agency providing the information should be formally separate from Students' Legal Services in order to protect against charges the information is "biased" by Students' Legal Services attorneys' opinions. Only one school, the University of Florida, actually used a web-board to distribute information. Many schools express concern that publishing students' unedited opinions on a web-board could result in defamation liability. The Students' Legal Services attorney at Texas A&M, on the other hand, believes that landlords would be restrained from defamation lawsuits by the fear of bringing down on themselves further negative publicity. A number of schools maintain complaint files and make them available "for eyes only" within the Students' Legal Services or Tenant Union office.

Upon completing the survey, I conclude that publishing information on landlords' reputations would be of substantial preventative value to students. The liability problems could be avoided by using statistical summaries of opinions, in the form of survey results. I envision a phone survey, whose methodology has been "blessed" by a statistics professor, asking tenants to give a letter grade to their landlords in several areas (maintenance, price, deposit returns, etc.) and then having the "grade cards" published by the Vidette. It seems to me that would address concerns about libel, politicization of the office, bias, statistical reliability, and at the same time, give students some useful info in an easily digested form.

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