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By Raymond L. Yasser

LAW SCHOOL ADMISSIONS: A NONTRADITIONAL APPROACH

It is no doubt fair to say that few people are totally enamored with the traditional law school selection criteria based on the undergraduate grade point average (UGPA) and the law school admissions test (LSAT). Although the two have proven to be valid statistical predictors of success in the first year of law study, there is a strong undercurrent of feeling that the applicant is not always dealt with as a "whole person."

In spring 1975, The University of Tulsa College of Law announced the creation of an experimental admissions program. It is based on the assumption that in the competitive pool of applicants there are some who, while possessing only marginal UGPAs and LSAT scores, have background factors that nevertheless indicate a marked potential for success in law study and in the legal profession.

Motivation to become a lawyer, success in other graduate disciplines, an interesting and productive employment background, an apparent leadership potential, and the proven ability to overcome difficult handicaps are all apparent examples of special background factors that might signal that an applicant is a potentially successful attorney, despite a less than competitive LSAT and UGPA.

A pre-admission course in the law of contracts (Contracts I in the regular College of Law curriculum) was offered during the 1975 summer session to a carefully selected group of 32 who, while possessing only marginal UGPA and LSAT scores, had those background factors that apparently indicated potential for success in law school. Those students who successfully completed the course with a grade of C or better were offered places, primarily in the part-time division, in the fall 1975 class.

The average UGPA of the group selected to participate in the program was a 2.53 on a 4.0 scale — .35 below the average UGPA of the regularly admitted entering class. The average LSAT was 425 — 141 points below the college's class average and almost 100 points below the national average. Of the 32 selected, some were invited to participate on the basis of their success in other graduate disciplines, still others were invited

on the basis of work experience. The admissions committee also tried always to take into account the intangible drive of a given applicant.

In a sense, the committee employed a "squeaky wheel theory" for measuring motivation. Applicants who had been denied admission through the regular process but who continued to clamor for an opportunity to "prove by doing" were regarded by the committee as highly motivated. (Of course, it is possible that they were merely aggressive.)

In any event, the committee regarded the "squeaky wheels," to some extent, as types who ought to be afforded some positions in the experimental course. The final group of 32 included: an accountant, a college athlete, a banker, a college administrator, a realtor, a self-employed businessman, a national sorority officer, a police officer, a psychologist, a paralegal, student and community leaders, a number of politically active people, and several with quasi-legal work or military experience.

Of the 32 who took the course, 17 received a grade of C or better and were offered positions in the entering class. In grading the final examinations, the instructor who taught the course was asked to hold the class to the standard of the prior year's first-year class. One person in the class earned an A. Three earned Bs. These people were offered positions in the full-time division and were given credit for the first semester of the Contracts I course. The other 13 people — 10 of whom received C+ and three of whom received a C — were offered part-time positions. They were also given credit for the Contracts I course.

Of course a critical inquiry concerning the relative merits of the admissions experiment is "how did the survivors fare in competition with the regularly admitted group?" The answer is astounding (at least to a nonstatistician).

In direct competition with an entering class possessing significantly higher UGPAs and LSAT scores, the 17 survivors outperformed their regularly admitted classmates. Excluding the survivors, the

average law school GPA in the part-time division was 2.33 for the remainder of the students after the first year. For the same period, the average law school GPA for the 12 survivors in the part-time division was 2.67. The average law school GPA in the full-time division after the first year was 2.59 for all students except the survivors. The average law school GPA of the four survivors in the full-time division was 3.03 after the first year.

Overall, the first-year students who were not survivors had a first-year law school GPA of 2.52. The survivors' average was 2.76. One survivor finished the year ranking second in the part-time division class of 68. Another finished fourth in the full-time division class of 145. None of the survivors ran into academic trouble at the end of the first year, although 11 of their regularly admitted classmates did. (The University of Tulsa places students on probation if they compile cumulative first-year GPAs below 2.0)

The implications of these early results on the traditional law school admissions process are not clear.

To begin with, it should be pointed out that five of the survivors were permitted to add an upper-level law course during their first full semester at the College of

Law to fill the gap left in their schedules from already having taken Contracts I. Given the grading practices existing at the College of Law, this would have a natural tendency to raise their first-year GPAs. Even discounting the grades received in the upper-level courses, the survivors still outperformed their regularly admitted classmates. It should also be pointed out that the survivors who did not add an upper-level class to their schedule had the benefit of a lighter course load than their regularly admitted classmates.

Statisticians might also add that the sample was too small to draw any conclusions, and that the high grades achieved by the survivors can be regarded as nothing more than a statistical quirk.

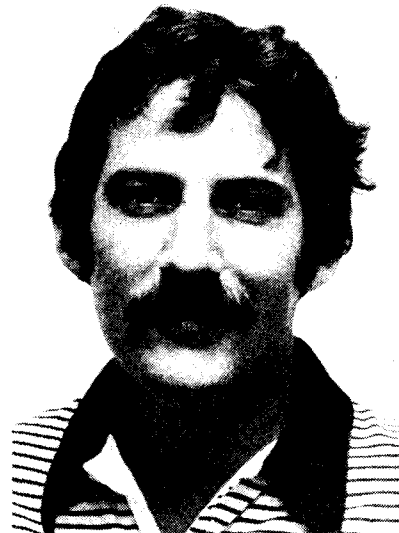
Intuitively, however, the following conclusion is drawn as to why the survivors performed better: they were either better prepared for the first year of law school because of their participation in the preadmission pot-boiler than were their regularly admitted classmates, and / or (I think it's probably "and") they were, as a group, more motivated, aggressive, or "driven" than were their regularly admitted classmates.

Assuming that motivation, aggressiveness, and

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Raymond L. Yasser is Assistant Dean and Associate Professor of Law at the University of Tulsa College of Law and in these roles has been involved in law school admissions. Believing that many lawyers are deeply concerned with how those in the law school world are managing the very important task of selecting people for law school, Dean Yasser prepared this article which was originally published in "Learning and the Law," a national publication for legal educators, and later reprinted in TU's alumni magazine, Dialog.

Prior to joining the faculty of TU, Dean Yasser was Assistant Attorney General in the office of the North Carolina Attorney General. A graduate of the University of Delaware where he was named to Phi Beta Kappa and Phi Kappa Phi, Dean Yasser received his J.D. from Duke University School of Law in 1974.



“drive” are indeed factors which are predictive of success in law school, questions that quite naturally arise include: Should we, as a matter of policy, even attempt to measure them? If we should, how do we go about finding a reliable way of doing it? Assuming reliable methods for determining motivation, aggressiveness and drive exist or can be developed, should these qualities be filtered into the admissions decision-making process? In my opinion, these questions are worthy of further discussion.

For now, the lesson learned from the survivors’

experience appears to be that admissions people are ill-advised to believe in the exclusivity of the UGPA and LSAT in predicting success in law school — and perhaps legal education should, in the end, be available to the most-qualified people who want it the most. Given the present state of the admissions art, the task is at best a difficult one for admissions committees. In any case, it would appear at the very least that the experiment at The University of Tulsa College of Law ought to continue and that other law schools ought to consider implementing similar programs.