

Rankings and Its Effect on Admissions¹

by

Alex M. Johnson, Jr.

Dean Emeritus, University of Minnesota Law School

I. The LSAT

A. History and Development

1. A tool of inclusion

II. The Role of the LSAT on the Pipeline

A. Differential Scores among Subgroups

1. Theories espoused to explicate different outcomes

B. Discriminatory Impact

C. The Cost of Eliminating the LSAT

III. The LSAT and Affirmative Action

A. Do Students of Color Bear A Cost Imposed by

¹. This outline, and my presentation, draws heavily from my article on this topic, *The Destruction of the Holistic Approach to Admissions: The Pernicious Effects of Rankings*, 81 Ind. L. J. 310 (2006). I implore those interested in this issue to read the article.

Affirmative Action

1. Richard Sander, “A Systematic Analysis of Affirmative Action in American Law Schools,”²—a flawed analysis

B. The Costs Imposed by the Absence of Affirmative Action

1. Linda Wightman, “The Threat to Diversity in Legal Education: An Empirical Analysis of the Consequences of Abandoning Race as a Factor in Law School Admission Decisions”³

C. How Affirmative Action is Employed at U.S. Law Schools

1. The Impact from Top to Bottom—all 190 plus Law Schools chasing a limited pool of diverse applicants

D. Grutter and Gratz: Embracing a Holistic Approach

IV. Enter U.S. News and World Report--The Impact of the U.S. News and World Report Rankings in light of the LSAT and the use of Affirmative Action

A. The Methodology

². 57 Stan. L. Rev. 367 (2004)

³. 72 N.Y.U. L. Rev. 1 (1997).

B. The Costs of Homogeneity or Uniformity—the Role of the ABA Section of Legal Education and Admissions to the Bar

1. The Standards and Rules of Procedures

C. The Impact on the Admissions Model

1. The Pernicious Effect of Rankings on the Holistic Approach.

2. “75/25” or the Median: Why Reporting Any Score Creates a Problem

3. External and Internal Effects of Reporting A Score

V. The Role of the Deans

A. The Prisoners’ Dilemma

B. The Three C’s: Correlation, Cost and Certainty

VI. A Possible Solution: Two Proposals

A. Jettison Score Reporting

1. See The ABA Section on Legal Education (above)

B. Non-Comparable Scores

1. Can the LSAC make it work and will the consumers (schools and candidates) accept it