REDUCING THE IMPACT OF RANKINGS ON LAW SCHOOL ADMISSIONS: A PROPOSAL

Professor Jeffrey Evans Stake
Professor of Law and Chair of the Admissions Committee
Indiana University School of Law-Bloomington
JURIST Guest Columnist

The law school rankings published each year by *U.S. News and World Report* in its popular "swimsuit" issue have changed admissions practices at law schools across the United States. Over the last decade, as rankings have gained importance, schools have redoubled efforts to improve their stature. Maximizing the student Law School Admission Test (LSAT) and undergraduate grade point average (UGPA) numbers is a key part of those efforts because those criteria make up 22.5% of the rankings. The increased importance of those two numbers has led to greater uniformity in the characteristics sought by admissions officers at many schools concerned with rankings. The *U.S. News* rankings have thus inadvertently encroached upon one of the four essential freedoms of a university to determine for itself . . . who may be admitted to study. Justice Frankfurter, concurring in *Sweezy v. New Hampshire*.

The degree to which the ranking system currently employed by *U.S. News* constrains admissions cannot be fully appreciated without considering the manner in which law schools make admissions decisions. Many schools make use of an "index" for each applicant provided to the schools by the Law School Admissions Council (LSAC). This index is a linear function of the LSAT and UGPA and is printed on the front page of the report the LSAC sends to schools for each applicant. Because this index incorporates same two criteria used by *U.S. News*, accepting the applicants with the highest indexes will improve a school's ranking.

Law schools today place great weight on the index, at some schools much more than before rankings were regularly published. This increasing attention to the index necessarily comes at the expense of more subjective criteria such as honesty, integrity, gumption, creativity, and other aspects of fitness to practice as a lawyer. For every applicant admitted on the basis of his index, the law school must admit one fewer applicant on the basis of subjective considerations. Law school admissions would be best if the whole file were taken fully into account for all applicants, without any special concern for how the admission of a student would influence the ranking of a school by *U.S. News*.

Because the LSAT and UGPA are not perfectly correlated, maximizing the median on one does not maximize the median on the other. If a school wishes to maximize its medians on both the LSAT and UGPA, it will have to admit about three quarters of each class solely on the basis of the index rather than giving appropriate weight to other relevant
information in the file. If a school wishes to maximize its 25th percentiles on the LSAT and UGPA, it will have to admit almost all of each class on the index. The net result of undue attention to the 50th or 25th percentiles is that the school will admit many students on the index that would not be admitted under a whole-file approach.

I have proposed to *U.S. News* that it make a small but important change in the way the LSAT and UGPA are employed in its annual ranking. I asked *U.S. News* to use each school’s 75th percentiles on the LSAT and UGPA as the only indicia of student quality. This change would reduce the effects of rankings on admissions practices because maximizing a class 75th percentile on any criterion can be done with one-half as many students as it takes to maximize the mean and only one-third as many students as it takes to maximize the 25th percentile.

For a school to maximize its 75th percentiles on LSAT and UGPA, it would need to admit only about 35% to 40% of the class by the index alone. Thus the proposed change would cut in half the portion of the class admitted solely on the index, leaving much more discretion with the admissions personnel at each school to admit the students they think will be the best lawyers.

To some extent the example above understates the benefits of changing to the 75th percentiles. Even before *U.S. News* published its rankings, many schools rejected few of the applicants with scores above the school’s 75th percentile on the LSAT. Thus, rankings based on the 75th LSAT percentile would have a negligible affect on who gets into a given law school. By contrast, rankings based on the median LSAT (to say nothing of the 25th percentile) create an incentive for schools to admit dozens of students in the middle of the class who would otherwise be rejected in favor of applicants with slightly inferior numbers but with more promise as lawyers. Thus a shift to the 75th percentile on the LSAT could cut the number of students admitted primarily on the index by far more than half. Viewed from the perspective of unsuccessful applicants, the proposed change would dramatically reduce the number of students that should get in on a “whole-file” approach but are rejected because of concern for rankings.

The point of the proposal is to allow each school to make its own determination of which students it wishes to admit without worry about how those decisions will affect its ranking in *U.S. News*. The point of the proposal is not to eliminate the index from the admissions process, nor even to dethrone it from its seat as the primary factor in a file, as it should be since the index often correlates highly (better than .5) with first year grades. Changing the ranking criteria from the LSAT and UGPA to the index itself would also decrease the impact of the rankings on admissions, but that change cannot occur unless the LSAC creates a single, universal index for all schools.

This is not the first proposal designed to reduce the effect of rankings on admissions. Uncomfortable with the choice between improving rankings and taking the applicants they perceive to be the most qualified, and desiring to loosen the constraints created by *U.S. News*, administrators have proposed or effected various changes. To no avail, they have urged *U.S. News* to stop ranking law schools or publish their
rankings less often, urged applicants and schools to pay less attention to the rankings, and deleted the median LSAT and UGPA from the information schools report annually to the ABA and LSAC. This proposal, unlike those in the past, has some chance of improving matters because the incorporation of independently verifiable data should improve the reliability of *U.S. News*’s rankings.

If *U.S. News* were to use only the 75th percentiles on LSAT and UGPA, it would dramatically reduce the harmful long-term effects of rankings on law school admissions without increasing the burdens on law schools or decreasing the useful information available to prospective applicants.

---

*Jeffrey Evans Stake is Professor of Law and Chairman of the Admissions Committee at the Indianapolis University School of Law, Bloomington.*

February 4, 2003