The Mythical Meritocracy of Law School Admissions

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The Mythical Meritocracy of Law School Admissions

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Because more people apply to law schools than can be accepted, the admissions procedure at most faculties has been designed to select the best qualified persons from the applicant pool. Selection criteria are adopted to enable law school administrators to determine fairly and objectively which applicants are most likely to succeed in legal studies. Even with the advent of admissions policies designed to increase opportunities for members of various minority groups to study law, specific admissions decisions within each preferred category are generally made with a view to choosing the candidates judged most able to do well at law school.

Admissions policies that purport to select students on the basis of expected performance at law school either ignore the severe limitations of currently available measures of academic promise or are consciously adopted to disguise largely subjective decision making in pseudoscientific garb.

First, I argue that the Law School Admissions Test (LSAT) should not be employed to make precise admissions decisions among members of a heterogeneous applicant population. Correlations between LSAT score and student performance over the course of the J.D. program indicate that the test is a particularly inaccurate predictor of academic success for various subgroups including men, younger students, and members of racial minorities.

Second, attempts to offset the weaknesses of the LSAT by considering other cognitive and noncognitive criteria or by assigning differential weights to the various criteria for particular applicant subgroups are contended to be inadequate responses to the problems inherent in making admissions decisions on the basis of expected performance at law school.

Finally, I propose that law schools stop trying to maintain scientific objectivity in selecting students. I argue in favor of a goal-oriented admissions policy which requires the establishment and enunciation of objectives and creates opportunities to pursue legal studies for individuals able to contribute to the realization of these objectives.

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The Predictive Accuracy of the LSAT

The traditional tool for analyzing the probabilistic nature of an entrance criterion is the *regression model*.¹ In a linear regression analysis, one variable under study is plotted as a function of one or more explanatory variables. A curve can be constructed which represents the relationship between a dependent variable (such as law school grades) and an explanatory or independent variable (such as LSAT score).

The key to understanding the predictive accuracy of the independent variable is the notion of *covariance*. Covariance, generally expressed in terms of a *correlation coefficient*, is a measure of the linear association of the two variables and describes the proportion of a change in the value of the dependent variable which can be explained by the relationship with the independent variable.

Traditionally, the value of a correlation coefficient is said to depend upon the extent to which the covariance is significant and meaningful. *Significance* is a measure of the probability that the covariance observed is the result of chance alone; it is a function of the magnitude of the correlation coefficient and the sample size.² A *correlation coefficient* is *meaningful* to the extent that it bespeaks a strong interdependence between the variables under study.³

More than significant and meaningful covariance should be established, however, before a given criterion is taken into consideration in law school admissions decisions. Where the applicant population is fairly heterogeneous, the entrance criterion’s predictive accuracy must be substantially the same for all subgroups of the sample population. If the criterion is a better predictor for some subgroups than for others, it should not be used to make admissions decisions. This principle, here referred to as *equitable correlation*,⁴ holds that useful predictions can be made from covariance information only insofar as the same is applicable to the sample group in its entirety. If it can be demonstrated that the covariance relationship does not hold true for a statistically significant subgroup of the sample as exhibited by a meaningful divergence in correlation coefficients for the subgroup and

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¹ The following explanations are for the reader’s general assistance only. More technical explanations of statistical analysis include David Kaye, *Searching for Truth About Testing*, 90 Yale L.J. 431 (1980).

² By convention, a correlation coefficient is said to be significant if there are no more than five chances in one hundred that the result observed was produced simply by chance. See, e.g., John A. Winterbottom, Barbara Pitcher & Paul VanR. Miller, Report on the Re-Administration of the LSAT to Third-Year Students in Reports of LSAC Sponsored Research: Vol. I, 1949–1969 255 (Law School Admission Council ed. 1976) [hereinafter cited as LSAC Research I].

³ By squaring the correlation coefficient, one obtains an indication of the variance percentage that may be explained by the regression model. Hence, where the correlation coefficient is .4, 16 percent of the change in value of the dependent variable may be said to result from a change in value of the independent variable.

⁴ The term “equitable correlation” is my own invention. It is generally agreed, however, that a test that consistently underpredicts or overpredicts performance for a group is of diminished probabilistic worth; Ronald Linn, *Test Bias and the Prediction of Grades in Law School*, 27 J. Legal Educ. 295, 297-98 (1975).
the group as a whole, the general correlation coefficient is of reduced probabilistic worth.

As the research completed to date has not confronted the question of equitable correlation between LSAT score and three-year performance at law school, an analysis of the 1981 graduating class of the Columbia University School of Law was undertaken. Correlations will be discussed for student subgroups defined by sex, age, and race.

The class was composed of 290 students; results were calculated on 278 students after the elimination of files with missing data. The variables included in the study were the students’ LSAT score, undergraduate grade point average (UGPA), sex, age, race, and law school grades. Where a

5. The first study to advocate the assessment of the predictive worth of the LSAT on the basis of first-year performance alone was issued in 1952: A. Johnson & M. Olsen, Comparative Three-Year and One-Year Validities of the Law School Admission Test at Two Law Schools, LSAC Research I, at 27. This study claimed that “LSAT scores predict three-year scholastic performance in law school as well as or better than they predict first-year scholastic performance” (LSAC Research I, at 27, 29). Because of the similarity of the correlations of LSAT score to each of first-year and cumulative averages, it was suggested that the first-year criterion might be employed “as a substitute for the three-year measure of scholastic success in law school” (LSAC Research I, at 27, 29). The research involved two law schools, the first with 100 graduates and the second with 234 graduates. The identical correlations observed at the second school (.50 correlation coefficients for both first-year and three-year averages) are of doubtful worth in that the LSAT scores were validated against only a pass-fail criterion rather than in relation to the traditional grades. The correlation at the school with 100 students was .35 in the case of first-year marks and .39 in comparison with three-year grades. No information with respect to the statistical significance of this sample group is provided; nor was any validation of the correlation for subgroups of the class undertaken (probably due to the relatively homogeneous nature of law school classes thirty years ago). The far-reaching conclusions of this study are therefore of questionable value today.

6. Statistics for subgroups defined by years of postsecondary education were compiled but did not reveal any particular pattern. The three subgroup classifications studied are those most frequently associated with affirmative action admissions policies.

General correlation coefficients for the Columbia study indicating the interrelationship between LSAT score and law school grades were .59, .55, .46, and .59 for first-year, second-year, third-year, and cumulative averages respectively. The hypothesis that employment of the first-year average as the standard for measuring the predictive accuracy of the LSAT for the group as a whole is as valid as a comparison with cumulative average is substantiated.
student had two or more reported LSAT scores, the average result was used. 
UGPA was derived from the Law School Data Assembly Service summary accompanying the report of LSAT results. Law school grade averages were calculated by assigning a value of 4 to an E, 3 to VG, 2 to a G, and 1 to a P and dividing the sum by the total number of credits. Courses taken for "credit only" were not included in the calculation.

The sample included 189 men and 89 women, 119 students aged 23 or less upon commencing law school and 159 persons aged 24 or more at the beginning of legal studies, and 232 Caucasians and 46 members of racial minorities.

One caveat about the Columbia study: Correlations are likely to be somewhat understated due to restriction of range. Given that the LSAT scores of successful applicants to Columbia tend to be drawn from a fairly narrow spectrum and yet are expected to account for the full range of law school marks, a certain distortion of the predictive accuracy of the indicator is to be anticipated.

**Sexual Equity**

The research to date, based on correlations with first-year average, has shown that the correlation between LSAT score and law school marks is stronger for women than for men. A 1977 study indicated that correlation coefficients for women tend to be as much as .12 to .14 higher than those for men. While the possibility that different prediction systems should accordingly be employed for women and men has been mentioned, the prevailing opinion appears to be that the same regression equation should be employed to predict law school success for both sexes. The Columbia study indicates that whatever inequities may exist between men and women when first-year correlations are compared, the divergence is greater when comparing cumulative average correlations.

7. Statistically significant correlation coefficients could not be calculated for the various categories of minority students. The 46 minority students studied include 24 persons identified as blacks or Afro-Americans, 8 Puerto Ricans, 3 Chicanos or Mexican-Americans, 3 Orientals or Asian-Americans, and 8 members of other racial minorities.

8. Statistics for 1980-1981 indicate that applicants classified as probable members of the incoming class at the Columbia University School of Law ranked in the top 11 percent of those writing the LSAT and had undergraduate grade point averages in excess of 3.5; see Association of American Law Schools and the Law School Admission Council, PreLaw Handbook 1982-83 99 (1982).


10. Pitcher, McPeek & Binkley, supra note 9, at 887.


TABLE 1
Correlation Coefficients for LSAT Score and Law School Marks: Males and Females

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Males</td>
<td>.57</td>
<td>.51</td>
<td>.38</td>
<td>.55</td>
</tr>
<tr>
<td>Females</td>
<td>.62</td>
<td>.58</td>
<td>.60</td>
<td>.65</td>
</tr>
</tbody>
</table>

It is noteworthy first that the correlation pattern differs for men and women. Whereas correlation for males drops steadily and dramatically over the course of the program, female correlation declines only slightly in second year and recovers somewhat in third year. More important, the initial correlation gap between males and females (.05) more than quadruples by third year (.22). The cumulative correlation differential (.10) is double that observed for first-year marks. As such, the difference in correlation observed for men and women increases steadily during law school.

Age Equity

Previous research has concluded that the LSAT is a somewhat more effective predictor of law school success for older than for younger students. This conclusion is borne out in the Columbia study of marks over the course of three years.

TABLE 2
Correlation Coefficients for LSAT Score and Law School Marks by Age Groups

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Students born in 1955/before</td>
<td>.61</td>
<td>.57</td>
<td>.55</td>
<td>.63</td>
</tr>
<tr>
<td>Students born in 1956</td>
<td>.60</td>
<td>.52</td>
<td>.38</td>
<td>.56</td>
</tr>
<tr>
<td>Students born in 1957/after</td>
<td>.56</td>
<td>.51</td>
<td>.42</td>
<td>.57</td>
</tr>
</tbody>
</table>

13. All statistics in Table 1 are significant at the .001 level. The sample includes the following:

<table>
<thead>
<tr>
<th></th>
<th>Mean LSAT</th>
<th>Mean GPA-1</th>
<th>Mean GPA-2</th>
<th>Mean GPA-3</th>
<th>Mean GPA-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Men</td>
<td>189</td>
<td>694</td>
<td>2.60</td>
<td>2.79</td>
<td>2.78</td>
</tr>
<tr>
<td>Women</td>
<td>89</td>
<td>688</td>
<td>2.53</td>
<td>2.74</td>
<td>2.75</td>
</tr>
<tr>
<td>Combined</td>
<td>278</td>
<td>690</td>
<td>2.57</td>
<td>2.78</td>
<td>2.76</td>
</tr>
</tbody>
</table>

14. Pitcher, Subgroups Validity Study (LSAC Research III, at 413).

15. All statistics in Table 2 are significant at the .001 level with the exception of the third year correlation coefficient for students born in 1957 or later which is significant at the .002 level. The sample includes the following:

<table>
<thead>
<tr>
<th></th>
<th>Mean LSAT</th>
<th>Mean GPA-1</th>
<th>Mean GPA-2</th>
<th>Mean GPA-3</th>
<th>Mean GPA-C</th>
</tr>
</thead>
<tbody>
<tr>
<td>Born 1955 or before</td>
<td>119</td>
<td>688</td>
<td>2.57</td>
<td>2.77</td>
<td>2.75</td>
</tr>
<tr>
<td>Born 1956</td>
<td>111</td>
<td>687</td>
<td>2.59</td>
<td>2.81</td>
<td>2.77</td>
</tr>
<tr>
<td>Born 1957 or later</td>
<td>48</td>
<td>703</td>
<td>2.58</td>
<td>2.72</td>
<td>2.79</td>
</tr>
</tbody>
</table>
As illustrated in Table 2, there is a stronger correlation for students born in 1955 or earlier than for younger students, with respect to both the various yearly averages and the cumulative average. As was the case in the preceding analysis of sexual equity, an examination limited to first-year correlations underplays somewhat the divergence in correlation for younger and older students.

**Racial Equity**

The magnitude of the correlation between LSAT score and law school grades is seriously distorted by the performance differential between Caucasian and non-Caucasian students. As Table 3 indicates, neither the correlation

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
<th>Cumulative</th>
</tr>
</thead>
<tbody>
<tr>
<td>Caucasian students</td>
<td>.35</td>
<td>.33</td>
<td>.28</td>
<td>.37</td>
</tr>
<tr>
<td>Non-Caucasian students</td>
<td>.51</td>
<td>.27</td>
<td>.17*</td>
<td>.38</td>
</tr>
<tr>
<td>All students</td>
<td>.59</td>
<td>.53</td>
<td>.46</td>
<td>.59</td>
</tr>
</tbody>
</table>

* = not statistically significant

for white nor for minority students even approaches the interdependence recorded for the sample group as a whole. The apparent general predictive worth of the LSAT results from the minority students' tendency to register lower results on the LSAT and in law school than Caucasians. Table 4 shows the distribution of LSAT scores by racial group. The average test score for Caucasians is 710; for minorities, the comparable figure is 593. More telling is that the standard deviation ranges\(^ {17} \) *do not even overlap:* while two-thirds of the test scores for Caucasian students fall within the range of 668–752, two-thirds of the minority test scores are within the range of 531–655.

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16. All statistics in Table 3 for Caucasian students are significant at the .001 level. For non-Caucasian students, the significance levels are .001, .055, .134, and .004 for first-year, second-year, third-year, and cumulative correlations respectively. All fall within the ambit of the traditional .05 significance rule with the exception of the third-year correlation which is not statistically significant. Mean LSAT scores are indicated in Table 4; law school marks are shown in Table 5. The sample includes 232 Caucasians and 46 non-Caucasians.

17. The standard deviation range is determined by adding the standard deviation to the mean score to determine the upper limit and subtracting the standard deviation from the mean to define the lower limit. Two-thirds of the values for the sample group will fall within the range so constructed.
Similarly, the overlap between law school marks for Caucasians and non-Caucasians is minimal. As Table 5 shows, two-thirds of white students' cumulative law school averages are within the range of 2.39 to 3.24. Minority cumulative averages, on the other hand, are predominantly in the range of 1.73 to 2.49. As such, the highest minority average in the standard deviation range barely overlaps with the lowest Caucasian score in the standard range. The apparently high correlation between LSAT score and law school performance is, therefore, a reflection of the consistently poorer performance by the majority of non-Caucasian students.19

TABLE 5
Law School Marks by Racial Groups20

<table>
<thead>
<tr>
<th></th>
<th>Caucasians</th>
<th>Non-Caucasians</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Mean GPA</td>
<td>Std. range</td>
</tr>
<tr>
<td>Year 1</td>
<td>2.71</td>
<td>2.23-3.19</td>
</tr>
<tr>
<td>Year 2</td>
<td>2.90</td>
<td>2.42-3.38</td>
</tr>
<tr>
<td>Year 3</td>
<td>2.87</td>
<td>2.37-3.57</td>
</tr>
<tr>
<td>Cumulative</td>
<td>2.81</td>
<td>2.39-3.24</td>
</tr>
</tbody>
</table>

Research to date has also demonstrated generally inferior performance on the LSAT and in law school by minority students.21 Results of analyses of comparative correlations for Caucasian and minority students are subject to debate; while two studies claim a lower correlation between LSAT score and law school grades for non-Caucasians,22 research published in 1977 presents evidence of larger validity coefficients for minority students.23 The traditional rationale for employing the LSAT in assessing non-Caucasian applicants is...
that, lack of correlation notwithstanding, the test tends to overpredict law school performance for this group (as contrasted with underprediction for Caucasian applicants).\textsuperscript{24} That is, it is argued that use of the LSAT enhances the likelihood of a minority student being accepted to law school and is accordingly consonant with a program of affirmative action.

The results of the Columbia study suggest that this reasoning, based on correlations with first-year law school marks, is erroneous. As Table 3 shows, the correlation between LSAT and first-year performance is quite high (.51) for minority students. Note, however, the dramatic drop in correlation for non-Caucasians during the second and third years as contrasted with the relative stability of the correlation coefficients for white students. The reasons underlying this massive decline in the predictive worth of the LSAT for minority students may be clarified somewhat by the statistics in Table 6 dealing with the overlap of standard deviation ranges\textsuperscript{25} for the two racial subgroups.

\textbf{TABLE 6}

<table>
<thead>
<tr>
<th></th>
<th>Year 1</th>
<th>Year 2</th>
<th>Year 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-Caucasian standard range</td>
<td>1.48-2.38</td>
<td>1.74-2.62</td>
<td>1.86-2.64</td>
</tr>
<tr>
<td>Overlap of standard ranges</td>
<td>.15</td>
<td>.20</td>
<td>.27</td>
</tr>
</tbody>
</table>

While the LSAT (see Table 4) predicted that there would be no overlap of standard deviation ranges for Caucasian and minority students, the overlap apparently increases continuously over the three years of law school. By third year, the overlap of standard deviation ranges (.27) is nearly double the overlap in first year (.15). The performance of minority students viewed as a group tends to improve significantly vis-à-vis that of their Caucasian counterparts over the course of the J.D. program, thus cutting against the overprediction argument. The LSAT, which forecasts overall poorer performance by minority students, becomes less and less valid for this group. The net result is that earlier research based solely on first-year statistics may seriously underplay the weakness of the LSAT as a predictor of minority student performance.\textsuperscript{27}

\textsuperscript{24} W. B. Schrader & Barbara Pitcher, Predicting Law School Grades for Black American Law Students (LSAC Research II, at 451); Robert L. Linn, Test Bias and the Prediction of Grades in Law School (LSAC Research III, at 1); Robert L. Linn & Barbara Pitcher, Predictor Score Regions with Significant Differences in Predicted Law School Grades from Subgroup Regression Equations (LSAC Research III, at 323); and Barbara Pitcher, Subgroups Validity Study (LSAC Research III, at 413).

\textsuperscript{25} See explanation of standard deviation range in note 17 supra.

\textsuperscript{26} The standard deviation range overlap was determined by subtracting the upper limit of the range for non-Caucasians from the lower limit for Caucasian students, supra note 18.

\textsuperscript{27} "Minority students cannot be fairly judged on the basis of first-year grades alone. Correlation studies which stop at the end of freshman year are thus biased in a subtle but most pernicious way." Robert M. O'Neil, Preferential Admissions, 80 Yale L.J. 699, 735 (1970).
Attempts to Offset the Prejudicial Impact of the LSAT

How should law schools respond to the inadequacies of the LSAT? The test score explains only 14 or 15 percent of law school performance and presents a particularly inaccurate picture of the likely success of men, younger students, and members of racial minorities.

Law schools frequently seek to attack the problem of inequitable correlation by adopting admissions formulas that assign differential values to the LSAT score for the various applicant subgroups defined by sex, age, and race. If, for example, the LSAT examination is twice as accurate a predictor for subgroup one as for subgroup two, the school might assign twice the weight to the test score for the first group as compared with the second. This approach does not eliminate the inherent unfairness of employing a criterion that fails to meet the equitable correlation test. Rather, it merely reduces the severity of the impact of the inequitable correlation. Differential predictive accuracy for some subgroups, although mitigated, is still built into the formula. An equitable admissions policy should not take into account a factor that disadvantages some subgroups even where the disadvantage is minimal and the variable has some predictive usefulness.

Second, some faculties seek to obtain better results by considering undergraduate grade-point average in conjunction with LSAT score in making admissions decisions. It is thought that the probabilistic statement embodied in the combination of LSAT and UGPA will be more meaningful than that of the LSAT score alone. Unfortunately, the predictive worth of an equation including the optimal combination of LSAT and UGPA is not substantially greater than that of the LSAT alone. For Caucasian students, predictability on the basis of LSAT combined with UGPA increases to 17 percent (from 14 percent for LSAT alone); for non-Caucasians, there is a rise to 20 percent (from 15 percent for LSAT alone). While this is clearly a better result, the proportion of cumulative law school grade accounted for is still quite modest.

The third step frequently taken to predict the performance of law school applicants consists of an examination of various noncognitive factors such as demonstrated leadership, publications, overcoming a handicap, and community service. The requisite data is gleaned from the application form and the letters of recommendation submitted on behalf of the prospective student. A weight is then expressly or implicitly assigned to each noncognitive variable so that same may be included in the admissions formula.

28. See cumulative correlations reported in Table 3, supra.

29. Some law schools determine this “optimal combination” of LSAT score and UGPA by computing beta coefficient equations for each statistically significant subgroup of the applicant pool. The actual values for each candidate are then plugged into the appropriate equation; applicants are ranked in order of the magnitude of the resulting score. For example, the equation appropriate for the Columbia group as a whole is .34 (LSAT) + .20 (UGPA). Different coefficients for the various applicant subgroups would result in a minimization of unfairness and a maximization of predictability.

30. These statistics were generated by a multiple regression analysis of the data generated by the Columbia study.

31. This approach is supported by the Mexican American Legal Defense Fund; see S. Brown & E. Marenco, Jr., Law School Admissions Study 39–46 (1980).
Mythical Meritocracy

The noncognitive value may then be considered in conjunction with LSAT score and UGPA in order to arrive at a total score. This third approach to the prediction of law school success presents two major problems. First, by including in an admissions formula what are and must be highly subjective weights for noncognitive factors, law schools attribute an unwarranted appearance of scientific objectivity to their admissions decisions. How does one determine the relative weights to be accorded to each noncognitive indicator? Is demonstrated leadership as important as overcoming a handicap? Are numerous publications more pertinent than a consistent record of community service? Second, and more important, no evidence suggests that there is a meaningful correlation between any noncognitive variable and law school success. That is, the probabilistic statement represented by the combination of LSAT score and UGPA is not strengthened by taking noncognitive factors into consideration.

A law school admissions policy designed to select candidates on the basis of predicted ability to successfully complete the J.D. program is therefore clearly not a workable option. The LSAT is both a weak and inequitable predictor of law school performance. The test’s inadequacies cannot be offset by assigning it differential weights for various applicant subgroups or by considering the LSAT score in conjunction with other cognitive and noncognitive factors. Quite simply, the tools to construct the meritocracy do not exist. Why then do law faculties persist in the pretention that they are choosing the “best qualified” candidates when making admissions decisions?

Abandoning the Mythical Meritocracy

While the LSAT and UGPA are clearly insufficiently reliable to be used as means of ranking applicants in order of probable success at law school, they may nonetheless play a more limited but still important role in the admissions process. Despite the inability of these cognitive indicators to distinguish to any meaningful extent varying degrees of likely success in legal studies, evidence suggests that persons likely to fail or withdraw from law school for academic reasons have significantly lower LSAT scores than do those students who successfully complete the program. Cognitive factors might therefore serve as a crude sorting mechanism to separate those applicants likely to fail or withdraw from the balance of the applicant pool. The function of cognitive indicators must, however, be restricted to the

32. "Despite acknowledged disadvantages, the slide-rule model may persist if only because it does produce satisfactory results and calls for a smaller expenditure of time and energy than would an alternative process. Nonetheless, correspondence and conversations with law school officialdom confirm the suspicion that few, if any, schools have consciously adopted the slide-rule model as the best of all approaches. Rather, the schools have embraced it because of the surge of applications, and it has resulted from a careless response to an admittedly difficult situation." D. Grier Stephenson, Jr., Why Law Schools Shouldn’t Play the Numbers, 59 A.B.A. J. 492, 495 (1973).


34. As indicated in text at note 30 supra, considering LSAT in conjunction with UGPA provides a modest increase in predictive accuracy over considering LSAT score alone.
question of distinguishing probable failures from probable successful applicants; they are not sufficiently reliable to play a part in choosing among applicants judged to be likely to succeed in law school. Once probable failures and withdrawals have been eliminated from the applicant pool, specific admissions decisions should be made on the basis of noncognitive factors.

I believe that faculties should adopt explicit goal-oriented admissions policies. Given that present evaluation mechanisms do not provide a fair and objective assessment of students' potential to succeed at law school, admissions decisions are necessarily based on largely subjective comparisons of the relative merits of applicants. Such an approach is wholly defensible and, indeed, desirable insofar as the factors for consideration are clearly spelled out and an opportunity afforded for public and professional input in their formulation. Ideally, value-oriented admissions criteria should result from soul searching by a law faculty to define its particular role in meeting perceived social and legal needs. For example, a school concerned about the provision of legal services to the poor might choose to allocate a certain number of places to the candidates judged most likely to practice in underprivileged neighborhoods or regions upon graduation. A faculty might seek a student body representative of the various regions of a state or nation or possessing diverse educational or employment experiences. While undoubtedly the policy here advocated is highly subjective, its strength lies in both its candor and its imposition of social accountability on law schools. Gone is the guise of objectivity that masked the use of criteria of questionable predictive worth and equity. Rather, this goal-oriented admissions policy requires a law school to struggle to define its objectives, enunciate them, hold its goals up to the scrutiny of the bar and the public, and realize them by creating opportunities for legal studies for individuals able to carry them out. As professional schools, law faculties bestow more than knowledge or diplomas on their graduates; to a very real extent law schools determine the composition of a group that plays an important and privileged role in society. As such, it is high time that law schools substitute social accountability for pretended objectivity as the cornerstone of the admissions process.

35. Goals will, of course, be required to conform to constitutional protections against discrimination.
36. "Then President-Elect Chesterfield Smith of the American Bar Association in speaking to the members of the Law School Admission Council at the annual meeting in June, 1973, made the point very clearly that he and the members of the governing body of the ABA were well aware that admission to the Bar to a large extent was passing from the practicing attorney to the teaching profession. He cautioned admission personnel to maintain an awareness of the necessity to admit students who represent various segments of the social and economic levels of our country," Edwin M. Schmidt, Admission to Law School: Not by Computer, Not by Chance, U. Tulsa L. J. 111, 114 (1974).