

ESSAY

THE LAW SCHOOL RANKINGS ARE HARMFUL DECEPTIONS: A RESPONSE TO THOSE WHO PRAISE THE RANKINGS AND SUGGESTIONS FOR A BETTER APPROACH TO EVALUATING LAW SCHOOLS

*David A. Thomas**

TABLE OF CONTENTS

I.	INTRODUCTION	420
II.	THE FUNDAMENTAL CONCEPTUAL FLAWS IN LAW SCHOOL RANKINGS	423
	A. <i>A Summary of Arguments Against Criticisms of the Rankings</i>	423
	B. <i>An Evaluation of a Recent Defense of the Rankings</i>	425
	C. <i>The Fundamental, Inherent, Conceptual Flaws of Law School Rankings</i>	426
III.	A CLOSER EXAMINATION OF RANKING CRITERIA	429
	A. <i>Academic Credentials of Entering Students: LSAT Score and GPA</i>	429
	B. <i>Selectivity of a Law School's Admission Practices (How Hard Is It to Get In?)</i>	432
	1. <i>Two Measures of Law School Selectivity Other than Students' Academic Credentials</i>	432

* Professor of Law, J. Reuben Clark Law School, Brigham Young University. The Author has been a full-time teacher since 1974, has served for years as a member of his law school's admissions committee, and has participated in approximately two dozen site visits to other law schools as a member of accreditation inspection teams.

2.	<i>Conclusions About the Validity of Selectivity Measurements Other than Admitted Students' Academic Credentials</i>	436
C.	<i>Law School Resources</i>	437
1.	<i>Student / Faculty Ratio</i>	437
2.	<i>Expenditures Per Student (Instruction, Library, Support, Financial Aid, Other)</i>	438
3.	<i>Law Library Collection Size</i>	439
4.	<i>Placement</i>	439
5.	<i>Bar Exam Passage Rates</i>	440
6.	<i>Reputation</i>	441
7.	<i>The Association of American Law Schools' Report on the Rankings</i>	443
8.	<i>Summary and Conclusion</i>	448
IV.	AN ALTERNATIVE TO RANKINGS IN MAKING RATIONAL JUDGMENTS ABOUT THE BEST LAW SCHOOL TO ATTEND	449
A.	<i>Introduction</i>	449
B.	<i>Finding and Understanding the Best Information</i>	450
1.	<i>ABA-LSAC Official Guide to ABA-Approved Law Schools</i>	450
2.	<i>Law School Websites</i>	451
3.	<i>Visits</i>	451
V.	CAN WE CREATE BETTER CRITERIA FOR EVALUATING SUITABILITY OF LAW SCHOOLS?	451
A.	<i>Introduction</i>	451
B.	<i>A Proposal for Describing and Assessing the Characteristics of a Good Law School</i>	454
C.	<i>The Characteristics that Help in Judging the Suitability of a Law School</i>	455
D.	<i>Examples of Useful Details that Could Be Provided in Each Category of the Characteristics of a Good Law School</i>	456
VI.	SUMMARY AND CONCLUSION	459

I. INTRODUCTION

Nothing has had a more profound impact on legal education in the past generation than the phenomenal prominence of law school rankings, especially the rankings published by *U.S. News*

& *World Report*.¹ Few thoughtful, informed observers consider this a positive development, except that it responds to the public's acute need to find more and better information about these important institutions of higher education.

Thorough and thoughtful criticisms of the rankings have been previously published, but, of course, the rankings continue unabated, and on occasion a voice is raised in their praise. Most recently, author Mitchell Berger proclaimed the rankings both "useful and important,"² and his cogent reasons deserve a response in the form of a renewed effort to depict what is really wrong with law school rankings. In addition to providing that response, this Essay addresses the problem of meeting the continuing need for information about law schools.

Because of the widespread popularity of *U.S. News & World Report's* law school rankings, references in this Essay are usually references to that particular rankings publisher, although the evaluations and conclusions are conceptually applicable to any attempts to make comprehensive, comparative evaluations of law schools through a single set of rankings.

One could speculate that the mentality of seeking to identify the "Top Ten" or to proclaim "We're Number One" is an idiosyncrasy of an American pop culture that finds its essential and ultimate expression in highly commercialized sporting activities. Whatever its source, rankings of many things and activities have a firm, prominent place in our society and attitudes.³ So pervasive are rankings that we who read them are hard-pressed to remember their individual details and usually form only general evaluative (and conclusory) mental impressions of the areas being ranked.

1. See *America's Best Graduate Schools*, U.S. NEWS & WORLD REP., Apr. 4, 2004, at 26-32 [hereinafter *Best Graduate Schools 2004*]; see also Nancy B. Rapoport, *Ratings, Not Rankings: Why U.S. News & World Report Shouldn't Want to Be Compared to Time and Newsweek—Or the New Yorker*, 60 OHIO ST. L.J. 1097, 1098 (1999) ("The current popularity of the *U.S. News* rankings causes law schools and potential law school applicants to overreact to them.").

2. Mitchell Berger, *Why the U.S. News & World Report Law School Rankings Are Both Useful and Important*, 51 J. LEGAL EDUC. 487, 496-500 (2001) (arguing that law school rankings not only provide a "useful and convenient" source of information for applicants, but also help make law schools accountable by providing an objective measurement of their performance).

3. See Luis M. Proenza, Commencement Address to the University of Akron (Aug. 19, 2000), available at http://www.uakron.edu/president/co_08_19_00AM.php (last visited Mar. 3, 2003) ("There appears to be no limit to what can be ranked, as demonstrated by comedian David Letterman and his nightly top-ten list. And, I am sure that somewhere, there is even a ranking of the top rankings.").

As consumers, we often seek specific rankings for a commodity or service we wish to acquire.⁴ This has reached its most extensive development in automobile purchasing, where the consumer has a choice of several sources of rankings from several perspectives and evaluators, each with their own priorities, emphases, and biases.⁵

Law school rankings are not a new phenomenon, but probably enjoy more prominence now than ever in the past. Parties responsible for compiling and publishing law school rankings are presumably motivated by the desire to sell their publications; therefore, creating rankings that are both credible and prominent should be of highest importance. Presently, the law school rankings published by *U.S. News & World Report* seem to be the quintessential example of this process. Publishing law school and other educational rankings apparently has been an outstanding commercial success for *U.S. News & World Report*.⁶

As between prominence and credibility in law school rankings, there would seem to be a symbiotic relationship—greater credibility naturally leads to greater prominence. Of those two qualities, however, prominence is clearly of greater importance. If a rankings scheme achieves sufficient prominence, credibility becomes subsumed in the prominence and may no longer be as explicitly important to rankings users, who might readily assume that credibility accompanies prominence.

In the *U.S. News & World Report* law school rankings, the publisher forces the readers to assume credibility, because it does not publish enough data or methodology information to enable a reader to validate either data accuracy or the rankings computations. The magazine does not publish all the relevant data, does not describe all the measures it takes to ensure the accuracy of the data, and does not describe its methodology in enough detail to enable anyone to actually check the results or to isolate and identify the influence of individual factors on the rankings.⁷ Thus, credibility cannot be confirmed, and the curious reader must simply accept the results because, given the rankings' prominence, everyone else does. Indeed, those same

4. See, e.g., CONSUMER REPORTS BUYING GUIDE 2002 (2001).

5. Compare *id.*, with DAVID VAN SICKLE, AM. AUTO. ASS'N, AAA AUTO GUIDE NEW CARS & TRUCKS 2002 (2002).

6. See Michael Ariens, *Law School Branding and the Future of Legal Education*, 34 ST. MARY'S L.J. 301, 316 (2003) (discussing the "profitable niche" *U.S. News & World Report* has found in publishing law school rankings).

7. See *Best Graduate Schools 2004*, *supra* note 1, at 16 (discussing the two types of broad data used in ranking law schools—"expert opinion" and "statistical indicators").

limitations are imposed even on the writing of this part of the Essay. In evaluating the efficacy of *U.S. News & World Report* rankings as an evaluative tool, it is necessary to accept the publication's data elements and rankings computations at their face value.

In critiquing law school rankings, then, this Essay does not challenge the accuracy of data used in *U.S. News & World Report* or other law school rankings. Rather, in Part III, it examines the relevance of the data to the concept of evaluating law schools.

II. THE FUNDAMENTAL CONCEPTUAL FLAWS IN LAW SCHOOL RANKINGS

A. A Summary of Arguments Against Criticisms of the Rankings

The purpose of this section is to show that law school rankings are so deeply and inherently flawed in concept that their publication does a profound disservice to persons trying to evaluate law schools.⁸ This is not because the rankings are totally lacking in validity, but because the rankings claim to do what cannot be done, and these claims are deceptive and harmful. Writers who have praised the rankings implicitly recognize this dissonance, but choose to ignore the rankings' serious misrepresentations of objectivity in their attempts to point out what they perceive to be valid uses of the rankings. The most recent example of this approach is an article by Mitchell Berger published in August 2002.⁹

Berger's spirited defense of the rankings attempts to show that the three major arguments against the rankings are flawed.¹⁰ First, he challenges the argument against the rankings—that users place too much reliance on them—by detailing all the denials, criticisms, and qualifications aimed

8. The rankings continue to be impervious to the strong and persistent criticisms leveled against them. See, e.g., Stephen P. Klein & Laura Hamilton, *The Validity of the U.S. News and World Report Ranking of ABA Law Schools* (Feb. 18, 1998) (published and distributed to law school deans as Memorandum 98-10), available at <http://www.aals.org/validity.html> (last visited Jan. 27, 2003); Pamela Manson, *Law School Rankings Under Fire—Again in Texas*, TEX. LAW., Apr. 9, 2001, at 4 (noting law school officials' annual objections to the rankings); Rapoport, *supra* note 1, at 1097, 1100 (arguing that a better approach would be to rate rather than rank law schools); cf. Terry Carter, *Rankled by the Rankings*, 84 A.B.A. J. 46, 46-47 (1998) (recognizing that while "[l]aw school deans fear the rankings, and they hate them. . . .[a]t the same time, they play to the rankings and use them to their advantage").

9. See generally Berger, *supra* note 2, at 487. Mr. Berger is a legal editor for the Thompson Publishing Group located in Washington, D.C. *Id.* at 502 n.a.1.

10. See *id.* at 488-96 (addressing arguments commonly made against the rankings).

against the rankings by various law school officials and organizations, including disclaimers from *U.S. News* itself, urging users not to use rankings as the sole or even major tool in evaluating law schools.¹¹ He points out the lack of empirical evidence that prospective law students or others are relying exclusively, or even too heavily, on the rankings.¹² While conceding that anecdotal evidence of undue reliance on rankings abounds, he concludes, "No one has demonstrated that students take the rankings as anything close to gospel."¹³

A second argument Berger addresses is that the rankings are imprecise and unscientific. He acknowledges that the academic reputation portion has received the most criticism, "perhaps because it carries the greatest weight."¹⁴ While not denying the validity of the criticism, he maintains that the reputation rankings are still important:

Reputation is based on perception, not reality, and that is as true for institutions as it is for individuals. The reputation rankings may indeed shortchange some excellent schools that are relatively unknown. And they may make other schools look far better than they should because they happen to be associated with large universities or have well-known graduates or have been in existence for a long time. But when all is said and done, the rankings roughly correspond to the way both practicing attorneys and law teachers perceive certain schools. That perception, however unfair, will have a huge influence on a student's job prospects.¹⁵

As to flaws in the other data or in the compilation methods, which he summarizes and concedes, Berger simply and weakly concludes, "I think applicants can competently analyze the rankings if they choose to do so."¹⁶

The third argument is that the rankings address the wrong things.¹⁷ In response, Berger lists the items critics have mentioned as more meaningful and concedes, "the rankings fail to consider many important things."¹⁸ However, he then dismisses such categories of information as "both highly

11. *Id.* at 488-91.

12. *Id.* at 491.

13. *Id.* (emphasis added).

14. *Id.*

15. *Id.* at 492.

16. *Id.* at 494.

17. *Id.*

18. *Id.* at 496.

subjective and extremely difficult—especially for an applicant—to get reliable information about.”¹⁹

Berger praises the rankings as being useful and convenient for applicants and for helping make law schools accountable (by openly comparing law schools using important criteria).²⁰ He stresses the need for accountability, by which he means that published rankings help motivate law schools to undertake needed reforms.²¹

B. *An Evaluation of a Recent Defense of the Rankings*

This most recent statement on the rankings, of course, stands on its own and makes many cogent points, including especially the point that rankings respond to the need for reliable information and are able to report perceptions about law schools, however uninformed.²² The statement's author, however, implicitly concedes that the contents of the rankings have little to do with actually revealing the quality of a law school, either absolutely or comparatively.²³ That writer fails to recognize that, if rankings readers are actually deceived into believing they are learning about the quality of a law school, such deception may ultimately deter interested persons from more meaningful investigations. He fails to recognize that rankings defects cannot be excused by claiming them to be merely reflective of law school practices, or that the rankings' powerful influence encourages and exacerbates those practices.²⁴ He erroneously rejects the *ABA-LSAC Official Guide to ABA-Approved Law Schools* (“*Official Guide*”) as a helpful source of information,²⁵ when in fact the *Official Guide* contains virtually all of the useful information that can be quantified.²⁶ His praise of rankings as increasing law school accountability is based only on his reciting

19. *Id.* at 494.

20. *Id.* at 496–500.

21. *Id.*

22. *See id.* at 500 (explaining that the *U.S. News* rankings fill an “information gap” left void by the ABA, AALS, and the Law School Admission Council, while acknowledging that “no rankings system . . . is perfect”).

23. *See id.* at 496 (noting that many “quality” factors are too subjective to be useful to many law school applicants).

24. This issue is analogous to the issue in popular entertainment as to whether particularly steamy or violent movies or television shows merely reflect reality or are in fact helping to shape reality as a kind of self-fulfilling prophecy.

25. Berger, *supra* note 2, at 494–95 (describing the *Official Guide* as “bland and unhelpful”).

26. *See generally* AM. BAR ASS'N & LAW SCH. ADMISSION COUNCIL, *ABA-LSAC OFFICIAL GUIDE TO ABA-APPROVED LAW SCHOOLS* (Wendy Margolis et al. eds., 2003) [hereinafter *ABA-LSAC OFFICIAL GUIDE*].

a list of well-worn criticisms of legal education about which lively debate continues,²⁷ his assumption being that law school accountability means that law schools must respond to his own reform agenda.

C. The Fundamental, Inherent, Conceptual Flaws of Law School Rankings

Central to this critique of praise for rankings is the assertion that the very concept of a single ranking for law schools is a serious deception. Some rankings merely give a listing in numerical order of items of objective or empirical data. Other rankings may list in some sort of numerical order the data generated by normative or qualitative judgments, or the data generated by a mixture of objective and normative sources. If the intent of a ranking is merely to display objective data in numerical order, leaving interpretation and assessment to readers, then the only challenges one could raise would be to the accuracy or validity of the data. If, on the other hand, the intent of the ranking is to list data that may not be objective and may not be probative, and then to tell the reader what the interpretation of such a listing should be, no intelligent reader should be expected to accept such a ranking.

This latter approach, unfortunately, is the approach of the *U.S. News* rankings. The specific flaws in this approach, with respect to law school rankings, may be listed as follows:

1. *The Rankings Purport to Identify the Best²⁸ or the "Top"²⁹ Law Schools According to a Single Ranking.* Even though persons familiar with law schools might be able to identify some aspects of law schools they think are essential to being a good law school, no consensus has ever been attempted or achieved as to what qualities or features in a law school make a good, better, or best law school. The inference a reader would draw from the *U.S. News* rankings is that the items listed in the rankings are the accepted criteria one should use in determining the quality of a law school. Not only is that deliberately created impression false and misleading, but, as will be shown below, almost none of the *U.S. News* criteria can possibly be relevant to or probative of any reasonable or common

27. See Berger, *supra* note 2, at 497–500.

28. The cover of the issue of *U.S. News & World Report* containing the rankings bears the large title, "America's Best Graduate Schools." See *Best Graduate Schools 2004*, *supra* note 1.

29. The header for the first page of the *U.S. News* law school rankings is "The Top 100 Schools." *Id.* at 28.

sense notion of law school quality. This serious flaw is compounded by placing these erroneous criteria in a single ranked list that is touted as identifying the best or top law schools. Again, persons familiar with law schools would categorically deny that a unitary or consensual judgment about law school quality could be made from assessing a canonical list of criteria.³⁰

2. *The Rankings Purport to Identify Best or Top in Terms of Academic Excellence.*³¹ Although “academic excellence” is a narrower criterion than “best” or “top,” the rankings directed even to this specific item suffer the same flaws as described in the preceding paragraph: the rankings publisher does not define what it means by academic excellence or how its data categories relate to that definition. Assuming a common sense concept of “academic excellence,” it will be shown below that most of the *U.S. News* data categories are neither relevant to nor probative of that concept.

3. *The Rankings Report and Combine Both Objective Data and Non-objective Data.* The objective statistical data shown with the rankings are widely available in other publications and may be validated by reference to verifiable facts about each law school. The non-objective data, specifically the reputation data, are unique to *U.S. News*, represent opinions founded on perceptions or impressions rather than knowledge, and have no known relation to reality except that they are authentic perceptions. To combine these two incompatible and mutually exclusive data sets into a coherent, unitary statistical evaluation of academic excellence in a law school is impossible and irrational.

4. *The Rankings Combine Objective and Non-objective Data in Arbitrary Ways.* The inherent impossibility of coherently combining the objective and non-objective data generated for the rankings is exacerbated by forcing and manipulating the combination according to arbitrary notions of their relative importance. The relative weights assigned to the individual data categories in the rankings are arbitrary and subjective.³²

30. See, e.g., Rapoport, *supra* note 1, at 1100 (arguing that “[r]anking all of the law schools on the same scale, based only on the measurable factors that *U.S. News* collects,” makes no sense).

31. In a column entitled “How to Use Our Lists Wisely,” the magazine proclaimed that its “rankings spotlight the country’s academically excellent graduate programs.” *America’s Best Graduate Schools 2002*, U.S. NEWS & WORLD REP., Mar. 28, 2001, at 35. That statement is dropped from the current edition.

32. According to the uninformative rhetoric of the rankings publisher, the weights assigned to the data categories are determined by how the categories “reflect the relative

5. *The Rankings Represent that Their Arbitrary Combination of Objective and Non-objective Data Is Able to Identify the Best or Top Law Schools in Terms of Academic Excellence.* Not only do the rankings not establish a connection of relevance between data categories and academic excellence, they also do not establish how their peculiar combination and weighting of disparate data categories have anything to do with academic excellence or with identifying the best or top law schools.

Despite these fundamental flaws, the rankings mythology is ubiquitous. How often does one hear or take part in these conversational exchanges?

Prospective law student: "I would really prefer to go to X law school, and I think I can get in, but they dropped two places in the rankings last year, and now I'm not sure"

Law school dean candidate: "I have a plan and a strong commitment to getting our law school into the top ten in the next two years."³³

Law firm hiring partner: "With few exceptions, we interview at and hire from only the top ten law schools."

Law professor: "I don't know what it will take to get us into the top twenty-five."

Four common elements appear in these hypothetical but typical conversations: (1) the ubiquitous reference to law school rankings; (2) the explicit assumption that those rankings are a key indicator of a law school's quality or desirability; (3) that all the statements reveal abject naïveté about law schools; and (4) the real and urgent need by numerous constituencies to find and evaluate useful knowledge about law schools. Part III of this Essay examines whether rankings data or conclusions help meet this need in a constructive way. Part III also shows that the rankings in their current form are not probative of any conceivable set of criteria relating to the quality of a law school. Thereafter, Part IV suggests what the principal criteria should

importance of the indicators, as judged by *U.S. News* after considering the many comments made by experts in each field." *Id.*

33. For a reported example of a similar statement, refer to note 119 *infra*.

be for evaluating the quality of a law school, and Part V proposes ways to produce and deliver helpful information relevant to those criteria.

III. A CLOSER EXAMINATION OF RANKING CRITERIA

This Part examines how the principal types of data used in ranking law schools are related to gaining an understanding about a law school's quality. In general, it will show that the criteria used to rank law schools are either irrelevant or unknowable. The types of data discussed are: (1) academic credentials of entering students (more specifically, the Law School Admission Test (LSAT) score and undergraduate grade point average (GPA)); (2) selectivity of a law school's admissions process; (3) student/faculty ratio; (4) placement rates; (5) bar passage rates; (6) expenditures; (7) library collection; and (8) reputation. This Part summarizes the most substantial criticisms of rankings data and methodology.

A. *Academic Credentials of Entering Students: LSAT Score and GPA*

The highly interactive style of American legal education means that one's fellow students can make a big difference in the quality of one's law school experience. Law students frequently participate in class, either by responding to professors' questions or by offering their own comments. Outside of class, students are constantly conversing about class discussions, cases, issues, and current legal events, either informally or in organized study groups. Whether that influence is largely positive or negative is a subjective matter, but in general, a law school with more able students can offer a higher quality legal education experience for all of its students.³⁴ Thus, it is natural for all higher education institutions, including law schools, to seek out and compete for better students, and it is also natural for any system of rating and ranking law schools to take student quality into account.

The two traditional modes of measuring prospective law students' intellectual credentials are the LSAT score, and the undergraduate GPA.³⁵ These are both the primary criteria in the admissions process of every law school³⁶ and a key feature in any

34. See Ariens, *supra* note 6, at 327–28 (discussing the advantages of a high-quality student body).

35. See, e.g., Rapoport, *supra* note 1, at 1100.

36. See *id.*

law school ranking system.³⁷ The LSAT attempts to measure a person's mental abilities in ways that are supposedly relevant to the demands of legal education, the ways of "thinking like a lawyer."³⁸ It is a standardized test in which performance is ideally not dependent on a specialized educational background or manipulable through intensive preparation³⁹ (although every LSAT preparation course promises improvement). The only way to tell whether a good LSAT score means one will be a good law student is to measure how accurately the LSAT score correlates to academic performance in law school. Such correlation measurements are very imprecise and can be attempted only for individual law schools rather than for all law schools generally.⁴⁰ In general, one may conclude that law school applicants with higher LSAT scores (relative to other applicants at a particular law school), if admitted, achieve a relatively higher class ranking at the end of the first year of law school.⁴¹ However, this is nothing more than a correlation and its predictive value is so weak that no law student need feel precluded from high academic achievement by deterministic limits supposedly imposed by LSAT performance. Moreover, this correlation says nothing about cause and effect relationships. Do the same abilities that generate success on the LSAT also help one to achieve academic success in law school, or does even this weak correlation occur for other reasons? No one knows, least of all those who publish law school rankings.

The other icon of academic ability is the undergraduate grade point average.⁴² The GPA's shortcomings as a

37. For example, refer to note 41 *infra* (indicating that LSAT and GPA comprise 22.5% of the *U.S. News* ranking methodology).

38. See LAW SCH. ADMISSION COUNCIL, LSAT AND LSDAS REGISTRATION AND INFORMATION BOOK 1 (2003–2004 ed.) (discussing the skills measured by the LSAT).

39. See *id.* (noting that the LSAT provides a good measure of acquired reading and verbal reasoning skills).

40. See *id.* at 121 (stating that "the correlation between LSAT scores and first year law school grades varies from one law school to another").

41. See *id.* Studies conducted annually by the Law School Admission Council affirm that LSAT score is a relatively better predictor than GPA of first-year law school academic performance. *Id.* On the other hand, a study completed by the Author to be published shortly, using admissions and academic data for twenty-seven graduating classes of the BYU Law School with all data in electronic form, indicates that GPA is a better predictor than LSAT score for three-year law school performance. David A. Thomas, *Predicting Law School Academic Performance from LSAT Scores and Undergraduate Grade Point Average; A Comprehensive Study* (forthcoming 2003) (manuscript at 5, 10) (copy on file with the Houston Law Review). Further, the index score, a weighted combination of LSAT score and GPA used in each law school's admissions decisions, is a better predictor than LSAT score or GPA of academic performance for both first-year and graduating law students. *Id.* (manuscript at 10).

42. See Rapoport, *supra* note 1, at 1099 (noting law schools' heavy reliance on this

measurement device are well-known: extreme variation in academic rigor and grading standards across the institutions of American higher education, not only across disciplines but also within an individual college or university.⁴³ Despite this, the GPA has an advantage for applicant evaluation that is completely absent from the LSAT: whatever the variation in grading practices and standards, a strong GPA usually means that the student has relatively good work and study habits and has been able to sustain a consistent effort over a long period of time. Not surprisingly, GPA also has some value as a predictor of academic success in law school,⁴⁴ and one may at least speculate that the same habits and qualities contributing to a strong undergraduate GPA also aid a strong academic performance in law school.

So, which credential is the better predictor of law school success, LSAT or GPA? The strong evidence from the Author's own law school, likely typical of all law schools, is that the LSAT score is a slightly better predictor of academic performance in the first year of law school, and GPA is a better predictor of academic performance for the entire three years of law school.⁴⁵ Despite this evidence, *U.S. News & World Report* reverses the importance, according the LSAT 50% weight and the GPA 40% weight in the "selectivity" portion of its law school rankings.⁴⁶

Implicit in this discussion is the assumption that "good" students—those who are a positive influence on their fellow students—can be identified solely or principally by their GPA or LSAT score. More important, but far less subject to assessment, are whether a law school's students are emotionally stable, free of substance abuse or other self-defeating behaviors, honest, kind and compassionate, and balanced in a professional environment that is often intensely driven and beset by materialism. These factors cannot be measured by reported statistics or by rankings, but local inquiries may help.

indicator).

43. See ABA-LSAC OFFICIAL GUIDE, *supra* note 26, at 11.

44. Refer to note 41 *supra* (discussing the Author's study indicating that the GPA is a better predictor of academic performance in law school).

45. *Id.* (discussing the Author's study).

46. *Best Graduate Schools 2004*, *supra* note 1, at 29.

B. Selectivity of a Law School's Admission Practices (How Hard Is It to Get In?)

1. *Two Measures of Law School Selectivity Other than Students' Academic Credentials.* It is easy to assume that if a law school is selective in its admission practices, it must be admitting better students, which in turn makes it a better law school. It is also logical that the best evidence of this is the academic credentials of the incoming students, that is, their LSAT scores and undergraduate GPAs, data which are readily available and were analyzed as measures of selectivity in the preceding section. Nevertheless, two additional measures of selectivity are available—one from the school's perspective and the other from the student's. Neither is especially meaningful, and one is actually misleading.

a. *The Misleading Measurement of Applicant Selectivity (the One Used in Law School Rankings).* A law school ranking system may include one other attempt (in addition to LSAT score and GPA) to identify whether a law school is admitting "good" students, and that is measuring selectivity by the proportion of students admitted from the applicant pool.⁴⁷ Thus, if law schools A and B each have applicant pools of 2000, and law school A offers admission to 750 applicants, while law school B offers admission to 1000 applicants, law school A is judged more selective and ends up with a "better" student body and a plus in the *U.S. News & World Report* rankings.

Unfortunately, this syllogism is afflicted with multiple flaws. Law school applicant pools differ so widely in composition that using their size as a standard reference point is silly. Law school applicants' reasons for undertaking the time and expense to submit an application may include one or more of the following, in no particular order of importance:

1. "I would really like to attend this law school."
2. "I wouldn't mind attending this law school."
3. "This law school is highly ranked."
4. "This law school is close to home."
5. "This law school is far away from home."

47. *E.g., id.* (noting that the proportion of applicants accepted accounts for 10% of the selectivity measure of quality, which in turn accounts for 25% of the total ranking score).

6. "This law school has a specialty I like."⁴⁸
7. "This law school is affordable."
8. "A [fill in friend or relative] attended this law school."
9. "I like the faculty [or a faculty member] at this law school."
10. "This is a law school I can get into."
11. "This is a law school that probably won't admit me, but it's worth a try, anyway."
12. "This law school is sponsored by my church."
13. "This law school has stable, mature students."
14. "This law school has a good social life."
15. "This law school has a good environment for students of a diverse or minority background."
16. "This law school may give me a scholarship."
17. "This law school is in a state [or part of the country] where I want to practice."
18. "This law school has a strong placement record or program or facilities."
19. "This law school has excellent physical facilities."
20. "This law school wants me."
21. "This law school has appealing recruiting materials."
22. "My parents [or spouse] want me to apply at their law school."

Prospective law students choose to apply or not to apply for a variety of reasons, and the size of the applicant pool may not indicate the same thing about each law school. For instance, a law school may have a very large applicant pool because it is located in a populous area, has a large entering class, and can fill

48. Some law school applicants, believing that they have already identified the area of the legal profession in which they would like to practice, seek to identify law schools whose program promotes that specialty. These applicants are naïvely unaware that no responsible law school encourages its new law students to specialize or would try to promote itself to prospective applicants on the basis of its curriculum specialties. This myth of specialties is unfortunately encouraged by *U.S. News & World Report* rankings, which include a listing of law schools supposedly well known for excellence in several legal specialties. See *id.* at 29. Those law schools are identified by the same deeply flawed reputation survey that infects the main rankings.

the class only by going deep into the ranks of the applicant pool. Another law school may have a very large applicant pool because it is highly ranked or enjoys some other form of prestige. Another law school may have a small applicant pool because prospective law students know that, with their credentials, the chances of admission are small, so they select themselves out of the applicant pool. In fact, the size of the applicant pool, the number of offers of admission tendered to that pool, and the percentage of those offers actually accepted are not relevant to the quality of a law school's students, except insofar as they yield an entering class of strong students. The measure of the strength of that entering class is already better indicated by noting entering students' LSAT scores and undergraduate GPAs, so applicant pool numbers are superfluous and irrelevant. Despite this irrelevance, *U.S. News & World Report* accords this factor a weight of 10% in the selectivity portion of its rankings⁴⁹ and perpetuates this misconception in its annual published rankings.

In promulgating this misleading measurement, *U.S. News & World Report* publishes for each law school how many persons applied for admission and how many were given offers of admission.⁵⁰ The lower the number of offers as a percentage of the number of applications, supposedly the more selective the law school is.

As described above, this selectivity should manifest itself more directly in the higher quality academic credentials of the entering students. Thus this reporting and measuring of applicant pools provides only a less direct and specific way of getting at the same results already reported in great detail through LSAT scores and GPA, but it rests on assumptions about applicant pools that, as stated above, are demonstrably false and deceptive. It also assumes that law schools tender roughly similar numbers of offers to fill the places in their entering classes, when in fact these proportions vary widely. For each law school the number of admission offers extended must be governed by the historical trends of percentage of acceptances, and, as discussed below, this varies widely from law school to law school, for reasons that may have little to do with the quality of the law school.

b. A Measurement of Law School Desirability Found in the *Official Guide*. The other measurement of selectivity, measured from the student's perspective, is not especially misleading but is

49. See *id.* at 29. Refer also to note 47 *supra*.

50. *Best Graduate Schools 2004*, *supra* note 1, at 28.

only marginally, if at all, relevant to determining the nature or quality of a law school. According to this measurement, a law school reports the number of admissions offers it has extended and how many were accepted to make up its entering class.⁵¹ A higher number of acceptances as a percentage of offers supposedly should indicate how desirable the law school is, at least in the view of the applicants. This is a unique perspective, not reflected in any other data used in rankings, but the numbers of offers and acceptances are reported in the *Official Guide*,⁵² which gives this perspective some measure of credibility and is fully available to prospective applicants. The *U.S. News & World Report* rankings do not employ this approach as their measure of credibility.

Again, this measurement of law school desirability, from an applicant's perspective, is beset by our inability to know what is really behind the numbers. Perhaps the best illustration of this imponderable is presented by my own law school. In the year 2000, the J. Reuben Clark Law School at Brigham Young University (BYU) extended 232 offers of admission and 161 students accepted, an astounding 69% acceptance rate.⁵³ Only Yale's acceptance rate was higher at nearly 79%.⁵⁴ Harvard's acceptance rate was 62%,⁵⁵ Stanford's was nearly 39%,⁵⁶ Michigan's approached 31%,⁵⁷ Columbia's was 31%,⁵⁸ Duke's was 24%,⁵⁹ Chicago's was about 24%,⁶⁰ and so on. I am convinced that the high percentage at BYU rests on considerations of low cost, loyalty to the sponsoring Church of Jesus Christ of Latter-day Saints, and a high quality program and student body.⁶¹ However, how much any one of these factors influenced the students' acceptance rate at BYU, or how an entire range of factors might affect the acceptance rate at any law school, is unknowable. Moreover, the vast majority of law schools' offer-acceptance percentages fall into the 20%–30% range,⁶² regardless of differences between the schools, and that homogeneity further

51. See, e.g., ABA-LSAC OFFICIAL GUIDE, *supra* note 26, at 76.

52. See *id.*

53. *Id.* at 64.

54. *Id.* at 57.

55. *Id.* at 60.

56. *Id.* at 57.

57. *Id.* at 60.

58. *Id.* at 61.

59. *Id.* at 62.

60. *Id.* at 58.

61. In the most recent data reported, BYU law students' academic credentials are exceeded in both LSAT score and GPA by only six other law schools. *Id.* at 56–65.

62. See *id.*

impedes the attempt to draw conclusions about what this factor says about a law school's quality.

c. *Relative Probity of Selectivity Measures for Assessing a Law School.* Both measures of selectivity attempt to measure the desirability of a law school from the perspective of the applicants. One measure includes data about how many persons found the law school desirable enough to justify submitting an application; the other measure shows how many applicants found the law school desirable enough to accept its offer of admission. These measures are problematic, because (1) applicants' reasons for applying vary widely, (2) law schools' reasons for extending offers of admission vary widely, and (3) admitted successful applicants' reasons for accepting offers of admission vary widely.

2. *Conclusions About the Validity of Selectivity Measurements Other than Admitted Students' Academic Credentials.* It would be tempting to conclude that higher percentages of admissions offers accepted indicate a law school's desirability as judged by those most intensely interested in knowing that information—the applicants. Indeed, in a general way if a law school's offers of admission are highly prized and eagerly accepted, that must surely be a positive reflection on the law school. However, all the varied subjective reasons that applicants may have for applying to a law school may also influence an admitted applicant's decision to accept an offer of admission, including especially locality and expense.

All of this makes attempts to measure a law school's selectivity by other than the academic credentials of the entering class an exercise in irrationality. Law school admissions practices are still mostly driven by considerations of applicants' LSAT scores and GPAs.⁶³ Even though the academic credentials of LSAT score and undergraduate GPA are incomplete, flawed, and misused as tools for evaluating law school applicants, they are still the best available measurement of student strength, which in turn is an important factor in assessing the quality of a law school. Any other attempts to measure a law school's quality by assessing how selective it is in admitting students are redundant and mostly meaningless. They are redundant because those other measures of selection are only indirect ways of learning the same information that is directly given by reviewing academic credentials. They are mostly meaningless because applicants can be motivated by a huge variety of reasons in deciding to accept an

63. See Rapoport, *supra* note 1, at 1100.

offer of admission, only one of which is the perceived quality of the law school.

A more serious indictment must be given of the method of measuring selectivity by comparing numbers of applications submitted to numbers of applicants given offers of admission, which is the method used in the *U.S. News & World Report* rankings.⁶⁴ Both of these numbers are affected by so many factors in so many combinations that their relevance to the quality of a law school's program is unknowable. To employ this supposed assessment under the rubric of "selectivity" and pretend that it says something about a law school's quality is both naïve and misleading.

C. Law School Resources

1. *Student/Faculty Ratio.* It is natural to assume that a lower student/faculty ratio—fewer students per teacher—is an indication of a higher quality law school program. This assumption would be more valid if faculty numbers were counted and faculty were used the same ways in all law school programs, but in fact practices in this area of law school administration vary widely among law schools. For numerical reporting purposes, law schools operate under a uniform set of rules used by the American Bar Association to calculate student/faculty ratios.⁶⁵ The differences among law schools arise in how they assign teaching loads and, in general, how faculty resources are used to provide instruction to law students.

All law schools recognize the pedagogical desirability of smaller classes, but priorities in how to achieve that may differ. Typically, the standard first-year courses are taught in larger-than-average sections, either in sections of equal size or divided into large and small sections. In the standard curriculum, which consists almost entirely of elective courses for second- and third-year students, courses perceived as important—and which are therefore heavily subscribed—are also usually taught in large sections. The class size for almost all other elective courses is usually quite small, and a favorable student/faculty ratio can mean either that more of such smaller courses are offered or that larger courses are sectioned. Law schools may also differ on how much teaching is expected of their faculty members, and whether

64. See *Best Graduate Schools 2004*, *supra* note 1, at 29.

65. AM. BAR ASS'N, STANDARDS FOR APPROVAL OF LAW SCHOOLS 50–51 (2002), available at <http://www.abanet.org/legaled/standards/chapter4.html> (last visited Apr. 17, 2003).

faculty members who have administrative responsibilities as deans, assistant and associate deans, and university administrators, also carry partial teaching loads.

For an applicant trying to assess a law school, the most important consequences of the student/faculty ratio are class size and typical teaching loads, both of which affect each teacher's ability to give attention to student needs and present high quality class sessions. The bare numerical data of student/faculty ratio unfortunately do not yield this information. Nor do they reveal whether the law school faculty members promote a culture of caring for students in ways that may profoundly enhance the quality of the students' educational experience. Only an applicant's individual inquiries at selected law schools can begin to yield insights on these important matters.

So, data on student/faculty ratio are relevant, but only as a beginning point for more detailed inquiries about faculty impact on the educational experience, not as conclusory information for its own sake. It would be most helpful to prospective applicants if law schools would publish class size information, either in the *Official Guide* or on their institutional websites.

The assumption is that more favorable student/faculty ratios will help ensure a better classroom experience for the students. Ideally, a law professor should have a moderate load of teaching assignments and a moderate number of students (leaving time for scholarly research and writing), and a favorable student/faculty ratio should help a law school attain those ideals. However, law school policies regarding teaching loads can compromise those benefits, even if the law school has a favorable student/faculty ratio. For instance, if a law school has high expectations for scholarly productivity from its faculty, that could mean less faculty time and energy is left for teaching, meaning that class sizes will be larger or fewer courses will be offered. Conversely, if higher teaching loads are expected, professors may have less time for individual student consultation and mentoring, either in or out of class. The delicate balance struck by law schools on these important issues is not revealed by mere reporting of student/faculty ratios. Again, law schools could facilitate meeting these information needs by publishing course enrollment numbers on their Internet sites.

2. *Expenditures Per Student (Instruction, Library, Support, Financial Aid, Other)*. The *U.S. News & World Report* ranking scheme gives some weight to what it calls expenditures per student in the areas of instruction, library, support services,

financial aid, and other items.⁶⁶ Superficially, it would seem logical to conclude that a law school that spends more in these important operational areas would eventually become a “better” law school. In reality, claimed comparisons are impossible and patently phony. Law schools differ radically in their financial relationships with parent universities, in their tuition levels, in their abilities to operate economically, and in cost-of-living levels in their localities (which in turn affect faculty and support personnel salaries). Ranking schemes giving credit to high expenditures will penalize good law schools with low tuitions, with good operational economies, and which are located in areas of relatively low living costs. These disparities and anomalies are so severe as to render evaluation attempts based on this criterion wholly invalid and misleading.

3. *Law Library Collection Size.* Professional law librarians have long questioned whether the library collection size is the key indicator of a law library’s quality.⁶⁷ That skepticism is even stronger today, as access to electronic legal research resources grows in importance relative to acquisition of print and microform materials. Undoubtedly, the law library plays a key role in the quality of a law student’s educational experience, but beyond the availability of a core collection (which all law school libraries are required to maintain), the most important features of the library are study spaces, convenience, and ambiance. This information is hardly quantifiable, and no ranking scheme gathers this information or includes it in evaluations; but prospective law school applicants should gather it carefully, and law schools should give insightful descriptions on their websites. Inclusion of law library collection size alone in a ranking scheme is indefensible.

4. *Placement.* Almost all law school applicants are urgently interested in knowing how their choice of law school will affect their chances of finding suitable professional positions upon graduation and beyond. Law schools attempt to answer that question by revealing how successful their graduates are in finding those positions. For the *U.S. News & World Report* rankings, this information is shown as the percentage of graduates employed at the time of graduation and the percentage employed nine months later (thus allowing time to take a bar

66. See *Best Graduate Schools 2004*, *supra* note 1, at 29.

67. Cf. Klein & Hamilton, *supra* note 8, at 8–9 (discussing arguments criticizing the use of library collection size as a factor in law school rankings).

exam, obtain the results, and parlay passing the bar into a job).⁶⁸ A perusal of *U.S. News & World Report* data on this topic reveals that, at almost all law schools above the so-called fourth tier, the nine-month employment percentages are in the high eighties and nineties—virtually indistinguishable.⁶⁹ Wider differences appear in the employed-at-graduation column.⁷⁰

These numbers are certainly relevant to one's choice of law school, but only in a general way. They do not distinguish between law schools on a variety of related topics that are of equal or higher importance to applicants. An applicant should want to learn how zealous and effective a law school's placement office (or career services office, or office of some similar title and task) is in helping a student understand the range of professional opportunities, how to identify and best present oneself to prospective employers, how to enlist the assistance of law school alumni, along with many other services. The applicant should understand that the reported placement percentages include and do not distinguish between legal and non-legal jobs, first-choice and other than first-choice jobs, jobs held before and during law school that were continued, and jobs found first after law school graduation. Quality of professional opportunity is an important issue but is not subject to quantifiable evaluation. The magazine's attempts to compare median salaries of graduates from various law schools stupidly fail to adjust for regional cost-of-living factors or take into account the personal preferences of outstanding graduates who prefer lower-paying jobs in the public sector. Again, on all of these points, the prospective applicant is best advised to call or visit the law schools in which he or she is most interested and gather the impressions and information firsthand.

5. *Bar Exam Passage Rates.* Again, the prospective law school applicant would find information about bar exam passage rates interesting and pertinent. Unfortunately, finding out this data is not as simple as getting a report from the state bar organizations, and attempts to meaningfully represent and compare bar passage rates between law schools, as in the *U.S. News & World Report* ranking scheme, are false and misleading.

All law schools find their graduates taking the bar exam in more than one state. Almost never is the group of students from

68. See *Best Graduate Schools 2004*, *supra* note 1, at 29; see also Klein & Hamilton, *supra* note 8, at 9–10 (raising “serious questions about the validity” of the placement success factors).

69. See *Best Graduate Schools 2004*, *supra* note 1, at 28, 30–31.

70. See *id.*

one law school taking the bar exam in any one state a representative cross-section of that school's graduating class. Even in the states where the largest group of graduates from any one law school take the bar exam (as measured by the *U.S. News & World Report* scheme), usually the top graduates (or the majority of graduates) have gone elsewhere. In comparison to overall state bar exam passage rates, no adjustment is made in those states that permit graduates of unaccredited law schools to take the bar exam, and whose presence usually lowers passage rates. Also, it is impossible to know the impact of employers who pay for bar exam review courses and otherwise help their employees have the best possible preparation and opportunity for succeeding in the bar exam.

Even the law schools themselves have difficulty in obtaining this data. State bar organizations are not required to report back to law schools which of their graduates have succeeded in any particular bar exam, and the law schools also have no sure way of knowing which of their graduates are even sitting for a particular bar exam.

It may also surprise many to learn that most law schools do not explicitly attempt to prepare their students for success in bar exams and, after the first year of law school, do not require students to take courses on subjects that will likely be part of bar examinations. Success in the bar exam is more likely to be a product of student ability, a reasonably good law school education, and conscientious participation in a comprehensive bar review course. In short, as long as a prospective law school applicant can be fairly assured of getting a solid preparatory foundation for the bar exam while in law school, that should be sufficient information about the law school; beyond that, the distinctions between the numbers about bar passage rates in law schools, especially as reported in *U.S. News & World Report*, are meaningless as measures of law school quality.

Finally, students with higher academic credentials are naturally more likely to succeed in a bar exam, and law schools with higher credentialed students are more likely to issue students who pass bar exams at higher rates than law schools that have students with lower academic credentials. The more cogent question, especially for the majority of students who are not offered admission by a "top tier" law school, is: Can my law school maximize my preparation to pass a bar exam?

6. *Reputation.* In what is surely the most controversial and indefensible part of the *U.S. News & World Report* ranking scheme, two groups of respondents are asked to give an

assessment of the comparative quality of law schools, and this reputational data is mysteriously combined, weighted, and folded into the magazine's rankings.⁷¹ Astonishingly, this most questionable and unverifiable of all the portions of the rankings report is accorded a weight of 40% of the overall score in the *U.S. News* ranking,⁷² which probably acts as a self-fulfilling prophecy, seriously distorting whatever little reliable information is contained in the data.

The most important criticism of this data is that it is purely subjective, as indicated by the following self-evident propositions:

- (A) No one really knows the intrinsic quality of any law school, including one's own.
- (B) No one really knows how the quality of one law school compares with the quality of any other law school.
- (C) No one agrees with anyone else about the bases or criteria or priorities in making such comparisons.
- (D) The temptations to rate one's own institution high and one's competitor institutions low are irresistible.
- (E) The tendency to translate one's ignorance about any particular law school into a low (rather than neutral) reputation rating is universal.⁷³

And the respondents may have other limitations. In 1996, Thomas E. Brennan, former Chief Justice of the Michigan Supreme Court and the founder of the Thomas M. Cooley Law School, reported the following:

Some years ago, I conducted a little informal poll, just to see how much lawyers and judges know about law schools. I asked a hundred or so randomly selected members of the bench and bar to rank ten law schools which I named. They included a good sample of the big names. Harvard. Yale. University of Michigan. And some lesser known schools. John Marshall. Thomas Cooley.

As I recall, they ranked Penn State's law school right about in the middle of the pack. Maybe fifth among the ten

71. See Klein & Hamilton, *supra* note 8, at 4-6 (describing how both law school academics and lawyers and judges rate each school by quartiles).

72. *Best Graduate Schools 2004*, *supra* note 1, at 29.

73. See Rapoport, *supra* note 1, at 1098-99 ("No one in legal academia has sufficient information on each law school in the country to provide realistic rankings for each school . . .").

schools listed. Of course Penn State doesn't have a law school.⁷⁴

All the reputational ratings really tell us is that several dozen otherwise intelligent people agreed to report what they think other people think about something that is unknowable.

7. *The Association of American Law Schools' Report on the Rankings.* The preceding paragraphs are the Author's independent elaboration on a theme that was well-addressed in a 1998 study commissioned by the Association of American Law Schools (AALS). Titled "The Validity of the U.S. News and World Report Ranking of ABA Law Schools," the report was issued to law school deans in February 1998 as AALS Memo 98-10.⁷⁵ The report thoroughly discredited the *U.S. News* law school rankings on both methodological and substantive grounds. The report speaks for itself, but a brief summary of those criticisms is reported here as a form of corroboration for the material in the preceding paragraphs.

a. Summary of AALS Report's Methodological Criticisms.

- (1) Many factors important in assessing the quality of a law school are not considered.⁷⁶
- (2) The factors that are measured are not measured in a reasonably precise and unbiased way.⁷⁷
- (3) No consensus exists on how much weight should be assigned to factors used in determining a law school's quality.⁷⁸
- (4) It is inappropriate to condense the assessment of a law school's quality into a single numerical value.⁷⁹
- (5) The accuracy of much of the data is questionable.⁸⁰

74. THOMAS E. BRENNAN, *JUDGING THE LAW SCHOOLS* 5 (1996). Since the time of that statement, a law school has become affiliated with Pennsylvania State University.

75. See Klein & Hamilton, *supra* note 8, at 1.

76. *Id.* at 3 (noting that some of the factors not considered may be just as important as the ones considered).

77. See *id.* at 12 (alluding to "biases and errors in the evaluation system").

78. *Id.* at 11 (discussing the lack of available studies and the likely differences in the weights assigned to various factors by students, faculty, and staff).

79. *Id.* at 12 (describing the combined overall ranks as the "most controversial aspect" of the rankings system).

80. *Id.* (concluding there are "serious problems" with the accuracy of the data used by *U.S. News*).

- (6) Intentional and unintentional biases may affect the subjective assessments of law school quality.⁸¹
- (7) Use of variables may foster inappropriate law school practices.⁸²
- (8) Methods used to combine values of different components result in their being weighted differently than claimed by the publisher.⁸³
- (9) Respondents for the subjective portions of the survey may not be representative of their respective populations.⁸⁴
- (10) Imputation of values for missing data may be inaccurate.⁸⁵
- (11) Most of the factors surveyed had only negligible impact on the overall rankings outcome, which was driven by median LSAT score and subjective reputational rankings.⁸⁶
- (12) The ranking system inflates and exaggerates small differences in quality between schools.⁸⁷
- (13) The factors that are used in the rankings are not necessarily the best or most important factors to those who seek the rankings information.⁸⁸
- (14) Inclusion of other, more important factors could change the overall rankings.⁸⁹
- (15) No factors include a direct assessment of a law school's faculty.⁹⁰
- (16) No factors include a student assessment of the law school's quality.⁹¹

81. *Id.* at 2.

82. *Id.* at 2, 12 (suggesting that some schools may intentionally try to raise their rejection rate index by "encouraging applications from students who have virtually no chance of being admitted").

83. *Id.*

84. *Id.* at 2.

85. *Id.*

86. *See id.* at 12 (concluding that "90% of the overall differences in ranks among schools can be explained solely by the median LSAT scores" of the incoming students).

87. *Id.* at 2.

88. *Id.* at 3.

89. *Id.*

90. *Id.*

91. *Id.*

b. Summary of AALS Report's Substantive Criticisms.

- (1) The reputational survey produces "artificially large differences among schools and even creates differences where none truly exist."⁹²
- (2) Rankings are distorted by "strategic ranking" by respondents, exalting their own law school and downgrading their competing peer institutions.⁹³
- (3) "Reputation rankings are highly impressionistic"⁹⁴
- (4) Law faculty respondents for the reputational portion are unlikely to be truly representative of law school faculty generally.⁹⁵
- (5) The rate of response for the reputational survey is relatively low.⁹⁶
- (6) Trustworthiness and validity of the reputational respondents' judgments are "seriously open to question," so the ratings are more popularity or publicity contests than meaningful assessments of law school quality.⁹⁷
- (7) Conversion of median LSAT scores to percentiles exaggerates their differences.⁹⁸
- (8) Because law schools differ in the proportions of their entering classes they graduate, reliance on LSAT score as a quality measurement of the entering class may not be as meaningful for some law schools as it is for others.⁹⁹
- (9) Undergraduate GPAs are less effective as measuring standards because of large differences in grading standards across undergraduate institutions.¹⁰⁰
- (10) Students who attend a law school are unlikely to have come from a representative sample of all

92. *Id.* at 4.

93. *Id.* at 2, 5 (original emphasis omitted).

94. *Id.* at 5.

95. *Id.* at 5-6.

96. *Id.* at 5 ("Only 70% of those who were sent surveys completed them.").

97. *Id.* at 6.

98. *Id.*

99. *Id.* at 7.

100. *Id.*

undergraduate schools, so law schools whose entering classes may have the same median GPAs may have classes that are very different in their credentials.¹⁰¹

- (11) Undergraduate GPA is a “moderately good predictor” of first-year law school grades, but a “poor predictor of success on the bar exam”; it could be eliminated entirely from law school rankings.¹⁰²
- (12) Many factors besides desirability affect sizes of applicant pools and rejection rates. No additional insight about law school quality is provided by the rate at which admissions applications are rejected.¹⁰³
- (13) A law school may artificially raise its rejection rate (and its revenue from application fees) by encouraging applications from persons unlikely to be admitted.¹⁰⁴
- (14) In calculating expenditures per student, including faculty salaries, *U.S. News* “does not consider geographical differences.”¹⁰⁵
- (15) Financial aid, overhead, and indirect expenditures have nothing to do with measuring the quality of instruction, the facilities, or their ambiance.¹⁰⁶
- (16) A law school could increase its tuition, then increase its financial aid, and improve its standing in the financial aid category without making any change in the nature of the school.¹⁰⁷
- (17) Beyond the need for a basic and substantial library, library collection size has no relationship to the quality of a law school. Law schools with more students tend to have larger collections and are favored by this measurement.¹⁰⁸
- (18) Student/faculty ratio is only a rough way of assessing class size or student access to professors, because law schools differ in how much time they

101. *Id.*

102. *Id.*

103. *Id.*

104. *Id.*

105. *Id.* at 8.

106. *Id.*

107. *Id.*

108. *Id.* at 8–9.

make available for their faculty to do scholarly work.¹⁰⁹

- (19) The expenditures rankings do not take into account economies or diseconomies of school size.¹¹⁰
- (20) Ranking of expenditures gives credit to schools that spend more to produce students of equal competence, which makes no sense.¹¹¹
- (21) Placement statistics do not distinguish between legal and non-legal jobs.¹¹²
- (22) Placement statistics include jobs that were not acquired as a result of the student's law degree, especially where large numbers of students work to pay their tuition. *U.S. News* estimates discounted placement rates for schools not responding, further impairing the validity of this measure.¹¹³
- (23) The relationship between a law school's bar exam pass rate and a state's pass rate is "complex and . . . varies across states."¹¹⁴
- (24) "[G]raduates of a given law school who take the bar exam in one state may not be representative of all the students from that school."¹¹⁵
- (25) *U.S. News* uses each state's overall pass rate rather than the pass rate only for graduates of ABA-accredited law schools.¹¹⁶

Despite all of these problems, the authors of the study observe:

Many people rely on the ranks because [*U.S.*] *News* enjoys a national reputation; it considers several factors that appear to be relevant in comparing the quality of different schools; it combines its findings into a single, easy to use, numerical

109. *Id.* at 9.

110. *Id.*

111. *Id.*

112. *Id.*

113. *Id.* at 9–10.

114. *Id.* at 10.

115. *Id.*

116. *Id.*

value; and there is no generally accepted competing set of school rankings.¹¹⁷

8. *Summary and Conclusion.* This section of the Essay has demonstrated that, of all the law school ranking criteria, only one—the academic credentials of incoming law students as indicated in LSAT scores and GPAs—has any probative value in making comparative quality assessments of law schools. All of the others are either without substance or without relevance or without both. Selectivity is a superfluous and less specific attempt to provide the same information as is found in academic credentials. The student/faculty ratio begs the more important questions of class size, teaching loads, and a culture of caring. Placement rates are virtually the same for many law schools and give little basis for differentiating. Bar passage rates cannot be measured in any way that gives insight into the program of a particular law school. Expenditures are not adjusted for geographical differences or idiosyncratic institutional factors, and in any event are not demonstrably correlated with a law school's quality. Library size beyond the core collection required of all law schools is not rationally related to the quality of instruction. Reputation data are mostly based on respondents' uninformed, imaginary perceptions and give no substantive information about the quality of a law school program; these data give insight into perceptions, however poorly informed, not facts, and perceptions are not unimportant. Finally, in this writer's opinion, to pretend to rank law schools in a single order striving toward the championship title of "best" borders on fraud.¹¹⁸

Has *U.S. News & World Report* been irresponsible? Considering how many people cite its rankings as evidence of their knowledge about law schools—or, in other words, considering how successful the magazine has been with these rankings—the rankings' utter lack of actual validity could be

117. *Id.* at 2.

118. Fraud takes many forms and has many definitions, including one particularly relevant to this Essay: Fraud is "[a]nything calculated to deceive another to his prejudice and accomplishing the purpose, whether it be an act, a word, silence, the suppression of the truth, or other device contrary to the plain rules of common honesty." *BALLENTINE'S LAW DICTIONARY* 496-97 (3d. ed. 1969). If one form of fraud is intentionally deceiving another, or making misrepresentations to another in intentional disregard of the truth, to the disadvantage of the victim and the advantage of the perpetrator, then the current practice of law school rankings could be deemed fraudulent. For instance, the 2004 special issue of *U.S. News & World Report* entitled "America's Best Graduate Schools," and ranking seven types of U.S. graduate and professional schools, gives no circulation or sales figures, but sells for \$9.95, is to remain on the shelves until December 31, 2003, and touts itself on the cover as a "#1 Bestseller." Clearly the publisher believes it has found a means to achieve immense gains in publishing these rankings.

considered irresponsible. Considering the impossibility of devising a single numerical measurement to reflect the quality of a law school, it is probably irresponsible to claim to be doing just that. Considering how important it is to many—especially to prospective law students—to make an intelligent choice of a law school to attend, to pervert the process of choosing by publishing phony rankings is certainly irresponsible.¹¹⁹

IV. AN ALTERNATIVE TO RANKINGS IN MAKING RATIONAL JUDGMENTS ABOUT THE BEST LAW SCHOOL TO ATTEND

A. Introduction

A critic of the critics of law school rankings declared that the rankings are not about identifying quality law schools, which is a mostly impossible task.¹²⁰ Rather, the rankings manage to reflect general notions about law school reputations, which induce better students to gather at the better law schools, where they will be available to be found by the better legal employers for the better legal jobs.¹²¹ This critic of critics is satisfied with this channeling function and is undisturbed by the many misrepresentations and deceptions imbedded in the current ranking culture.¹²² He blithely assumes the worth of this function because it coordinates the bringing of elite students to elite law schools, and he adds other proposals that could appeal only to the elitist mentality.¹²³ To the large majority of law school applicants who are not unalterably set on attending a so-called elite law school (usually because they are not tendered the opportunity), he offers nothing to remedy the huge mischief of rankings by

119. This statement is not intended to ignore the irresponsibility of many readers and users of these rankings, especially those who should know better. Consider the following example. As reported in a local legal news daily, an Emory University Law School professor and dean candidate pitched his candidacy by proclaiming his school's need to rise in the rankings: "Emory. . . needs to vault itself into the top 15, and then into the top 10. One of the school's top priorities, he said: 'to get out of this not even 25 land that we've slipped into.'" Janet L. Conley, "Emory Dean Hopeful: We Must Beat UGA," FULTON COUNTY DAILY REP., Feb. 26, 2002, at 1 (reporting the statement of Professor Thomas C. Arthur).

120. Russell Korobkin, *In Praise of Law School Rankings: Solutions to Coordination and Collective Action Problems*, 77 TEX. L. REV. 403, 407 (1998) ("Measuring educational quality is not the primary purpose that rankings serve. . . .").

121. *Id.* at 409–10 (arguing that rankings exist to create a hierarchy among law schools).

122. *Id.* at 414. In essence, Korobkin believes that prospective students are smart enough to recognize that a higher ranking does not necessarily translate into a "better" education. *Id.* at 407–08.

123. *See id.* at 426–27 (concluding the purpose of law school rankings is to channel the most capable students to the most desirable legal employers).

magazine. To law school applicants whose main motivation is to graduate from a law school most likely to direct them to the most prestigious employer, he offers very little hint that members of the legal profession could be driven by other, more noble values.¹²⁴

Others have taken seriously the need and desire of almost all law school applicants to make an informed choice of which law school to attend—not simply driven by misguided perceptions of prestige—and have tried to give guidance to that end.¹²⁵ One effort tries to identify all the relevant objective criteria, rank the law schools for each criterion, assign weightings to the respective criteria, and derive a composite score that enables law schools to be listed in rank order.¹²⁶ This project is plagued by the notion that a single-list ranking system is realistic or desirable, by inherent disagreements over the importance assigned to the criteria, by inaccuracies in the data reported, and by the complexity and overall lack of utility from a user's point of view.¹²⁷

Another commentator ignores law school data altogether and instead suggests a series of worksheets by which prospective applicants can identify criteria important to them and which presumably can be used to identify a list of congenial candidates from among the law schools.¹²⁸ Implementing this approach would depend heavily on visiting the law schools or, in this age, carefully studying information on the law school website.

B. Finding and Understanding the Best Information

1. *ABA-LSAC Official Guide to ABA-Approved Law Schools.* The published rankings from *U.S. News & World Report* do contain some interesting and useful data, even if the processes of standardizing, weighting, and translating the data into rank order remain flawed and mysterious. However, a far better and more evenhanded source is the *Official Guide*.¹²⁹ This publication

124. See *id.* at 414 (hinting only that “it is possible that factors other than rankings attract top students and desired employers to the same law schools”).

125. See, e.g., BRENNAN, *supra* note 74, at 4–9 (recounting the experience of the author—former Chief Justice of the Michigan Supreme Court, and founder of the Thomas M. Cooley Law School—and introducing law school indexes, rankings, and profiles); Rapoport, *supra* note 1, at 1098–99 (noting the rankings are not the best way to help applicants choose law schools). See generally AMY THOMPSON BRIGGS, DEGREES OF DIFFERENCE: A HOW-TO GUIDE TO CHOOSING A LAW SCHOOL (1998).

126. See generally BRENNAN, *supra* note 74.

127. See *id.*; cf. BRIGGS, *supra* note 125, at 19–20.

128. BRIGGS, *supra* note 125, at 79–99.

129. See ABA-LSAC OFFICIAL GUIDE, *supra* note 26. Mitchell Berger's condemnation

contains not only useful information and commentary on every aspect of the law school admissions process, but also on evaluating law schools, managing the costs of legal education, and finding a job after law school. Most importantly, one will find for each law school detailed statistical information on academic credentials of entering students, admission, acceptance and matriculation, faculty, and tuition, all submitted and arranged according to the strict standards of the book's institutional authors and without weightings or rankings.

2. *Law School Websites.* Law school websites are an especially good source for finding out information unique to the law school and appealing to at least some applicants, and that cannot be depicted in statistical data. This is most likely to be true with respect to information about the character of students and faculty, special amenities provided in the law school physical plant and law library, and other useful information peculiar to the institution. It represents the image the law school wishes to project of itself, the way it wishes to be perceived by others.

3. *Visits.* A law school's informative but ultimately self-serving representations on a website can be supplemented by the prospective applicant visiting the law school itself. The number of such visits is naturally limited by an applicant's time and money, but can be helpful in reaching the highly personal decision about which law school to attend. Probably the most important aspects of a law school to concentrate on during a visit are the physical plant, the community in which the law school is located, and the competency and collegiality of students and faculty.

V. CAN WE CREATE BETTER CRITERIA FOR EVALUATING SUITABILITY OF LAW SCHOOLS?

A. Introduction

The *U.S. News* rankings purport to identify the "top" or "best" law schools and to identify law schools that are "academically excellent." The magazine editors probably do not intend to equate the two categories and are simply guilty of loose use of adjectives. However, whatever descriptive phrase is used, no authoritative statement has yet emerged about what constitutes a "best" or "academically excellent" law school. One

of the *Official Guide* as "generally bland and unhelpful" is mistaken. Berger, *supra* note 2, at 495. The *Official Guide* contains more useful information than the *U.S. News* reports.

may infer from the *U.S. News* survey content that the magazine's editors consider the following criteria determinative: (1) strong reputation; (2) entering students with strong academic credentials; (3) low selection rate for applicants; (4) high expenditures per student (for faculty, library, financial aid, and support); (5) high rate of job placement; and (6) high rate of success on the bar exam.

The preceding sections questioned the probity or measurability of most of these criteria, and further questioned whether these criteria, either at all or in the relative weights assigned to them by the magazine, should be the definitive indicators of high quality law schools. The preceding section also questioned whether these criteria can be combined through any sort of calculus to generate a reliable list of best law schools in rank order. By way of summary, the probity of the *U.S. News* data categories has been discredited in the following terms:

- (1) Strong reputation. This is a perception with no discernible relation to reality; it offers vague insight into career opportunities for graduates of the law school without giving any information about school itself.¹³⁰
- (2) Entering students with strong academic credentials. This is an important element in determining if a law school attracts high quality students, although it is not the complete measure.¹³¹
- (3) Low selection rate for applicants. This attempt to measure selectivity is compromised by the large range of possible subjective reasons persons have for applying to law schools or accepting offers of admission.¹³²
- (4) High expenditures per student (for faculty, library, financial aid, and support). It is impossible to establish a reliable connection between this figure and any known characteristic of a good law school. The money may be spent for law school facilities or resources that don't eventually translate into better instruction, better students, or better study facilities. Moreover, no account is taken of regional cost-of-living differences.¹³³

130. Refer to Part III.C.6 *supra* (describing this part of the ranking scheme as "controversial" and "indefensible").

131. Refer to Part III.A *supra* (discrediting the correlation between high GPAs and LSAT scores and academic success in law schools).

132. Refer to Part III.B.1-2 *supra*.

133. Refer to Part III.C.2 *supra* (describing this criteria as "impossible" and "phony").

- (5) High rate of job placement. This number may indirectly reflect the range of opportunities enjoyed by graduates of a law school, perhaps related in part to the law school's reputation, but cannot give a definitive picture of the placement assistance or training provided to the students, or how their own individual prospects are enhanced by law school efforts on their behalf.¹³⁴
- (6) High rate of success on the bar exam. This cannot be consistently measured, because the cross-section of a law school's students taking any particular bar exam may not be representative. Further, the bar exam pass rates differ from jurisdiction to jurisdiction and from year to year, and in any event the data are difficult to collect.¹³⁵

The quest to know the "best" law school, supposedly guided by this unfortunate list of *U.S. News* criteria, is probably off the mark for the majority of law school applicants. Only a small minority of applicants have any chance of getting admitted into one of the "best" law schools and therefore have any direct interest in knowing what schools meet that description. For other applicants, a very large majority, the more informed quest is to find the law school that is "best" for them. This most important inquiry is not at all addressed by the *U.S. News* survey's irrelevant data categories and artificial single ranked list.

From this analysis it is logical to conclude that instead of misguidedly attempting to serve a small group of supposedly elite students seeking to identify so-called "top" law schools that best suit them, it would be far more beneficial to devise a system that all applicants could use to identify law schools most suitable for them at whatever level. A single rank system could do this if the rankings were relevant and reliable and if the applicants knew precisely where they ranked among other applicants. The truth is, however, that too many different factors of varying subjective importance to individual applicants must be considered, so that a single ranking scheme is not feasible or useful. Rather than a single list falsely purporting to rate law schools on a mythical single scale of quality for the benefit of only a few applicants, *U.S. News* and comparable publications should instead provide information enabling all individual applicants to judge for themselves the subjective suitability of law schools.

134. Refer to Part III.C.4 *supra*.

135. Refer to Part III.C.5 *supra*.

B. A Proposal for Describing and Assessing the Characteristics of a Good Law School

In light of the conclusions drawn in the preceding sections, the approach that serves best, while perhaps not satisfying to magazine publishers, is to provide detailed and reliable information on the most important subjects in such a way that prospective applicants can assess how best to meet their own situations and needs. Providing statistical data in rank order is only a minuscule part of that effort. The only statistical data relevant to law school suitability are in the categories of student academic credentials and tuition charges. Only the *Official Guide* provides data in both categories;¹³⁶ *U.S. News* does not give tuition data.

With only a tiny range of relevant statistical data available from any one source, how could one best assemble and make available information most relevant to law school suitability? In the absence of any effective existing clearinghouse of such data, and taking the lead from the sound principles of our adversary system, each law school should be invited to provide its best and most accurate information in a standard list of categories. If law schools have put forward their best evidence for their suitability in each category, then the fact-finding prospective applicants can render their verdicts. If law schools will come forth with all the good reasons for interested persons to apply, those persons can make intelligent judgments from what is and is not revealed. Without a clearinghouse, individual law schools can easily present this information on their institutional websites.

For this suggestion to prevail, it must first be determined whether a core set of criteria could be developed for evaluating law schools. While it may seem presumptuous for any one person to put forward a list of key criteria for identifying good law schools, it isn't so difficult for those acquainted with legal education. That such a list will bear little resemblance to the *U.S. News* data categories is not surprising, because the magazine's categories were apparently chosen for their measurability with little consideration for their relevance. Not everything that can be measured about a law school necessarily gives meaningful information about the quality of the law school. So what follows is a basic list of what knowledgeable observers could agree are the basic attributes of a good law school. Following the list is a brief comment on each item and how it can best be assessed.

136. See ABA-LSAC OFFICIAL GUIDE, *supra* note 26, at 56.

C. The Characteristics that Help in Judging the Suitability of a Law School

To be “academically excellent,” a phrase employed by *U.S. News*, it seems self-evident that a law school must not only provide a normal program in legal instruction, but achieve excellence in certain key areas:

1. An atmosphere and routine in the classroom that is rigorous and conducive to learning.
2. A faculty that is exceptionally knowledgeable, skilled in classroom instruction, and committed to mentoring and nurturing students to the best of their ability.
3. A rich curriculum, including substantial instruction in so-called skills courses and opportunities for supervised practical experience.
4. A comprehensive and effective academic assistance program.
5. Highly qualified students who contribute to an academic and social atmosphere that promotes learning and preparation for professional life (and life in general).

If one considers that being a “top” or “best” law school (more words from *U.S. News*) includes, but is broader than, being an “academically excellent” law school, then, in addition to the above criteria, a top school could be identified by means of the following additional criteria:

6. Physical facilities and technical resources that promote comfort and efficiency in study.
7. Administrative organization and regulations that facilitate the processes of study and learning.
8. Career services that enhance both student skills and career opportunities appropriate for each student’s qualifications.
9. Full access to all law school resources and benefits for all students.
10. Reasonable tuition and other expenses.
11. An environment and location that are conducive to learning and preparing for a professional career.

If these items are indeed the principal marks of a good law school, then information about these items should be helpful for any applicant, whether or not qualified for a “top” law school, in judging the suitability of a law school.

Perusing these items reveals that only two are subject to any sort of objective description or measurement: academic qualifications of the students, and the amount of tuition and other expenses law students will incur. And these are only partial elements of larger criteria: “highly qualified” students are characterized by more than their academic credentials, and tuition is only one major law school expense, but the only one that can be identified objectively.

If these proposed criteria are compared to the data categories in the *U.S. News* surveys, it appears that only two criteria are addressed by the magazine: the academic credentials of students as part of “highly qualified students” and law school reputation as part of “career opportunities appropriate for each student’s qualifications.” Thus one could conclude categorically that the *U.S. News* survey—with respect to both its data and its rankings—is without significant value in assessing law school quality. Indeed, the dominance of its rankings by data categories and evaluations that have no real relationship to depicting the quality of a law school is misleading, distractive, and the source of much mischief as misguided law school administrators seek to improve their schools’ appearance under those irrelevant categories. Without question, the world would be better off without those rankings. They benefit no person or entity other than their publisher.

D. Examples of Useful Details that Could Be Provided in Each Category of the Characteristics of a Good Law School

This section provides more detailed suggestions for issues a law school may wish to address if it undertakes to provide meaningful information on its website about the above-identified categories, which are crucial to determining the law school’s suitability for a particular applicant.

1. *An atmosphere and routine in the classroom that is rigorous and conducive to learning.* A law school might provide a representative description of how classes are conducted, including the types and depth of preparation expected of students, the methods or approaches of teaching, prevalence and support of study groups, methods of examination, attendance and other student accountability practices, competitive or cooperative

nature of the students, and any other information the law school considers relevant to this category. This section could also include class size or course enrollment information.

2. *A faculty that is exceptionally knowledgeable, skilled in classroom instruction, and committed to mentoring and nurturing students to the best of their ability.* Each faculty member could be invited to give the best reasons any student would want to take a course from him or her, and those statements could be edited and expressed in the third person for this part of the website. This, along with a listing of the faculty member's most pertinent credentials, should give a wealth of good information not heretofore available to applicants.

3. *A rich curriculum, including substantial instruction in so-called skills courses.* This could be a standard list of curricular offerings and programs, including indications of courses that are required and those that are offered only occasionally. This list could be more useful if enhanced by brief descriptions of the content of each course, such as might be provided to the law schools admitted and returning students each year. The list could also include detailed descriptions of law reviews, journals, moot court, and other programs that provide opportunities for student publishing experience and other forms of professional development. Initiatives in enhancing "skills" instruction could be described in detail.

4. *A comprehensive and effective academic assistance or support program.* While so-called "elite" students may have little interest in programs to assist struggling students, in fact a surprisingly large proportion of law students can be benefited by some aspect of an academic support program during the course of their law studies. For some, it is the key to their survival in law school. A law school could describe the full range of types of assistance it is prepared to offer, including disability accommodations.

5. *Highly qualified students who contribute to an academic and social atmosphere that promotes learning and preparation for professional life.* In addition to the easily provided academic credentials, law schools can provide other useful information about their students, including helpful generalizations about their background, characters, aspirations, and including especially their freedom from self-defeating behaviors. This section can also include full information about student organizations, including those that provide support and bring

together those with special interests. If a law school's university affiliation is important in defining the social and intellectual atmosphere of the law school, relevant information about this influence can be given.

6. *Physical and technical facilities that promote comfort and efficiency in study.* Some law schools have outstanding physical facilities and go to great lengths to enable students' efficient study of law. Law schools should tout whatever aspects of their resources and facilities would be of interest and benefit to their students; otherwise, students can learn of these things usually only through a visit or a conversation with someone on the site. Detailed information about law library resources and services should also be included.

7. *Administrative organization and regulations that facilitate the processes of study and learning.* Law school administrative practices and routines can be either helpful or annoying nuisances to students. Law schools should describe how they use their administrative structures and resources to help students. This information can cover such topics as course registration, financial aid, graduation requirements and bar applications, parking, examinations, and others.

8. *Career services that enhance both student skills and career opportunities appropriate for each student's qualifications.* Whatever a law school's placement statistics are, students need to know of the full range of services that the law school's placement office provides. These may include training in how best to present oneself to prospective employers, learning of the range of career options, on-campus interviews, how to learn of and pursue other career possibilities, how effectively the placement efforts serve the needs of students who are not highly ranked, and understanding professional life. This section can also detail the range of internship, externship, and service learning opportunities for students.

9. *Full access to all law school resources and benefits for all students.* Here the law school may wish to summarize information from all the preceding sections that demonstrates how effectively all students, from the top to the bottom of each class, are served by the resources of the law school.

10. *Reasonable tuition and other expenses.* Straightforward tuition information is usefully enhanced by further information about cost-of-living for the locality of the law school, prospects for

financial aid, availability of loans, repayment arrangements, employment prospects and restrictions for law students, average debt load for graduates, and similar information.

11. An environment and location that are conducive to learning and preparing for a professional career. A law school can help applicants by describing all the advantages of its particular locality, both that enhance the learning atmosphere and that enable a good and rich balance in student life. This part can also provide candid information about the challenges of the law school locale.

VI. SUMMARY AND CONCLUSION

Using available information from reliable publications, law school websites, and thoughtful visits to selected law schools, prospective law students would be able to make far more intelligent, thoughtful, and soul-satisfying decisions than by placing risky reliance on the rankings. The fact is that any law student could have a satisfactory experience at a variety of different law schools. Indeed, it would be hard for students to make a bad choice, especially considering how carefully most law schools conduct their admission processes. Nevertheless, choosing a law school can be one of life's most important decisions, leading to lifelong friendships, edifying collegial and professional relationships, and career satisfaction, and should be free of the irrationality of rankings.