

THE UNIVERSITY OF MICHIGAN LAW SCHOOL

REPORT AND RECOMMENDATIONS OF
THE ADMISSIONS COMMITTEE

The attached statement of admission policy dated 4/22/92 was presented to and adopted
by the faculty on 4/24/92

Admissions Policies

Our goal is to admit a group of students who individually and collectively are among the most capable students applying to American law schools in a given year. As individuals we expect our admittees not only to have substantial promise for success in law school but also to have a strong likelihood of succeeding in the practice of law and contributing in diverse ways to the well-being of others. Michigan has many alumni who are esteemed legal practitioners, leaders of the American bar, significant contributors to legal scholarship and/or selfless contributors to the public interest. Those we admit should have the potential to follow in these traditions.

Collectively, we seek a mix of students with varying backgrounds and experiences who will respect and learn from each other. We hope our students will find in their peers both rich resources for learning and the kind of sustaining friendships that help in getting over hard times and make the good times yet more pleasant. We hope professors will see in their students one of the rewards of teaching at this school. In the classroom setting the educational experience depends in large measure on the quality of student performance. Many law school classes depend on prepared and articulate students to advance the discussion, and in all classes perceptive, original observations can teach both faculty and students alike. We also recognize that much that is

educationally valuable occurs not in the classroom but in informal conversations and in the more formal activities of numerous student organizations such as Michigan's many law journals, various ethnic-, religious- and gender-focused groups, numerous practice-oriented and law specialty societies and diverse political groups of the left, right and in between. As a group our students have the responsibility for maintaining and changing this vibrant extra-curricular life in ways that respond to their own needs and concerns. At the admissions stage we value people who have shown the capacity to be self-educating and to contribute to the learning of those around them.

The question we confront then is how to achieve these goals. A minimal criterion is easy to state as is one important constraint that we confront. The minimal criterion is that no applicant should be admitted unless we expect that applicant to do well enough to graduate with no serious academic problems. The constraint is that we are part of a publicly funded university. As such we feel that a reasonable proportion of our places should go to Michigan residents, even if some have qualifications lower than those of some applicants from outside Michigan. The challenge is to meet our goals while ensuring that all who enter can succeed here and honoring the special claims of Michigan residents to a Michigan Law School education.

We begin with the individual and the goal of maximizing competence. Our most general measure, and for some students our only good measure, of the likelihood of a distinguished legal career is success in law school as operationalized by graded law school performance. Our most general measure predicting graded law school performance is a composite of an applicant's LSAT score and undergraduate gradepoint average (UGPA) (which we shall call the "index"). However, each of these measures is far from perfect. The asserted connection between graded law school performance and the likelihood of success in practice is based more on faith and anecdote than it is on rigorous research findings. Such research as exists on this topic is inconclusive, for reasons that do not disconfirm our assumption of the relevance of law school success, but that make it difficult to confirm it. The connection between the index and graded law school performance can be statistically shown. At Michigan the index for three of the four most recently admitted classes explained on average 27% of the variance in first-year graded performance.¹

In short the index does not do all the predictive work that an admissions committee might wish. Yet it should not be ignored. In particular, as the size of the differences in applicant index scores increases, the value of the index as a predictor of graded

¹ 1st semester grade point averages were used for the class beginning in 1991. We did not calculate the correlation between index scores and 1st year performance for the class beginning in 1989. We have no reason to believe that this correlation would differ substantially from the correlations we calculated.

law school performance increases as well. Thus, while there may be little reason to expect that an applicant with an index score of "N" will have a higher law school grade point average (hereafter "LGPA") than an applicant with an index score of ".98 N", there may be considerable reason to believe that she will have a higher LGPA than an applicant with a score of ".80 N". Moreover, while there may be only a moderate connection between the index and LGPA within the range where most of our admissions are made, there is good reason to believe that attention to the index will increase the validity of LGPA predictions based on such intuitively appealing information as the level of praise in letters of recommendation, the kind of college an applicant has attended, or the quality of an applicant's essay.

The Committee draws the following conclusions from these facts. Bluntly, the higher one's index score, the greater should be one's chances of being admitted. The lower the score, the greater the risk the candidate poses. And when scores are extremely low, it is extremely difficult for us reliably to pick out those who would be successful at Michigan and in the practice of law. So we expect the vast majority of those students we admit to have high index scores.

Still, even the highest possible score ought not guarantee admission: imagine an applicant whose undergraduate course

selection seems relentlessly dull, whose personal statements and LSAT essay are thin or incoherent, and whose letter of recommendation damn with faint praise. And even a quite low score ought not automatically deny a candidate admission: for again one can imagine dramatically offsetting considerations.

When the differences in index scores are small, we believe it is important to weigh as best we can not just the index but also such file characteristics as the enthusiasm of recommenders, the quality of the undergraduate institution, the quality of the applicant's essay, and the areas and difficulty of undergraduate course selection. These "soft" variables not only bear on the applicant's likely graded performance but also have the additional benefit that they may tell us something about the applicant's likely contributions to the intellectual and social life of the institution. Thus an applicant who has performed well in advanced courses in a demanding subject may have more to offer both faculty and students than an applicant with a similarly high average achieved without ever pursuing in depth any area of learning. Other information in an applicant's file may add nothing about the applicant's likely LGPA beyond what may be discerned from the index, but it may suggest that that applicant has a perspective or experiences that will contribute to the diverse student body that we hope to assemble. The applicant may for example be a member of a minority group whose experiences are likely to be different from

those of most students, may be likely to make a unique contribution to the bar, or may have had a successful career as a concert pianist or may speak five languages.

The preceding paragraph corresponds to the way admissions decisions seem to have been made for some time, although it does not precisely square with the details of the "pool system" as that system has been described in past faculty documents. (In fact, it would be impossible fully to implement the pool system as described, if for no other reason than that in the admissions process both the receipt and the completion of files, and the offering and acceptance of places, occurs over a span of many months.) The result of the actual decision making has been that the pattern of our admissions decisions may be nicely visualized in terms of a grid with LSAT score along one axis and UGPA along the other. (See Figure One, p.15) Most of our admitted students have had LSAT scores and UGPAs that placed them in the upper right hand portion of the grid. Applicants located at the extreme upper right hand corner of the grid where the highest LSAT scores overlap with the highest UGPAs are very likely to be admitted, although not all are offered admission. The further applicants are from the upper right corner the less likely they are to be offered admission. Thus we may think of the upper right portion of the grid as indicating the

combinations of LSAT and UGPA that characterize the overwhelming bulk of students admitted.²

At the same time, as Figure One makes clear, considerable discretion is exercised in the admissions process. Even controlling for residency status, people in inferior grid positions are accepted while those who seem to have more attractive credentials are denied admission. As we explained above, this pattern of decision making is sensible, for many qualities not captured in grades and test scores figure in the evaluation of an application. This discretion should continue. The issue that confronts us is how shall that discretion be exercised and by whom.

In the recent past, up until about two years ago, this discretion was exercised almost entirely by the Dean of Admissions and his staff with little formal input from the faculty. This sometimes led to faculty complaints about admissions decision making and led our previous Dean of Admissions to complain that he often felt that he did not know exactly what kinds of applicants the faculty wanted to attract. During the last two years, the Dean of Admissions has consulted with the faculty on a portion of the admissions decisions. This has allowed the faculty as represented

² The location of out-of-state admittees as a group would, if plotted separately, be higher and closer to the upper right corner than the location of all admittees since the group of non-resident admittees is on the whole somewhat stronger on the plotted dimensions than the group of resident admittees.

by its admissions committee to tell its Dean of Admissions how a mix of faculty evaluate the different kinds of strengths and weaknesses that are found in applicant files. The Dean of Admissions can in turn keep these considerations in mind in dealing with files that only he and his staff read. We believe that this kind of continuing faculty input is quite valuable and propose that the admissions committee continue to read files and advise the Dean of Admissions. In particular, we recommend that the members of the Admissions Committee read approximately 50 applications a year from the applicants whose position on the grid is within the range from which most of our admissions come. Some may be chosen randomly and others with regard to the particular matters they illustrate or the issues they pose. The faculty views on these files should be discussed with the Dean of Admissions and with such other members of the admissions staff as the Assistant Dean and the committee chair agree should be included.

As we have noted, some students will qualify for admission despite index scores that place them relatively far from the upper right corner of the grid. There are two principal types of reason for such admissions. First, there are students for whom we have good reason to be skeptical of an index score based prediction. The usual candidate who fits this description will be a student like "X" whom the Committee voted to admit to next year's class.

X, a Michigan resident, had a 3.57 UGPA at Brown University, with a dual major in history and German. His transcript revealed that he had taken many challenging courses, and his recommenders spoke of his intelligence and praised his intellectual ability. However, X's application was weakened substantially by an LSAT score at the 68th percentile and a resulting low index. The LSAT was not fatal to the application in this instance because the admissions committee noted that as a college applicant X had had an SAT score that placed him in the bottom decile of all Brown admittees. Concluding that X's performance on standardized tests was likely to be a poor predictor of his later academic success, the Committee voted to admit X on the basis of his strong undergraduate record and with the expectation that this record would be a better predictor of X's performance at Michigan than his LSAT score.

We believe that we should continue to be receptive to students of this sort, but that faculty input into the discretion exercised in such cases is important. Thus we recommend that the Dean of Admissions seek the advice of the Admissions Committee on a representative sample of cases which involve students who are expected to perform substantially better than their index would suggest. We also recommend that all such students admitted be flagged and their law school grades reported each year to the admissions committee so that we can learn whether the predictions made about their performance were correct.

The second sort of justification for admitting students with indices relatively far from the upper right corner is that this may help achieve that diversity which has the potential to enrich everyone's education and thus make a law school class stronger than

the sum of its parts. In particular we seek to admit students with distinctive perspectives and experiences as well as students who are particularly likely to assume the kinds of leadership roles in the bar and make the kinds of contributions to society discussed in the introduction to this report. (We reiterate, however, that no student should be admitted unless his or her file as a whole leads us to expect him or her to do well enough to graduate without serious academic problems.)

There are many possible bases for diversity admissions. During the past year for example the Admissions Committee, influenced by diversity considerations, has recommended the admission of students like the following:

X is a 27-year old applicant who came to the United States for his college education after working on literacy and world hunger projects during grade school and high school in his native Bangladesh. He completed his undergraduate work at Harvard in 1991, where his gradepoint average was 2.67 (8th percentile of those applying for law school). He scored only a 31 (46th percentile) and 152 (56th percentile) on two administrations of the LSAT. But the candidate amassed outstanding references from Ken Prewitt at the SSRC, from Derek Bok and from other professors at Harvard and people within the international community. All refer to his truly exceptional record of extracurricular activity and subsequent employment in international development issues, to the quality of his mind and to his capacity for contribution to the school and the profession. He presently is working for UNICEF in Zimbabwe.

Y came to the United States from Argentina in 1982 at the age of 21, single and six months pregnant. Within a few years she went from an administrative secretary for NCR to Director of Sales for a major Cincinnati hotel, winning four promotions in as many years. She returned to school full time at the University of Cincinnati in an honors Political Science

curriculum in January 1988, receiving nothing less than "A" grades, and amassing glowing references about the quality of her intellect. She will graduate summa cum laude and Phi Beta Kappa. Her LSAT, however, was only 151 (52nd percentile). Both her personal statement and essay were well written and insightful. She is fluent in four languages and has been active in numerous student groups. All of her accomplishments have been gained while raising her child (now eight) alone.

Z had a 3.99 GPA from the University of Florida and a 41 (90th percentile) LSAT. She has majored in Political Science, with three minors: Classics, Economics, and Latin American Studies. The daughter of two Greek immigrants, she has been immersed in a significantly ethnic home life. She has travelled to Greece during the summers, but also has studied in Spain and the Netherlands. She is fluent in English, Greek and Spanish. Her personal statement and essay are both well written and provocative, and her faculty references extremely strong. This candidate's credentials bring her within the range of applicants from which we make a reasonable number of offers. Her file illustrates how diversity considerations may considerably strengthen good but not exceptional numerical credentials.

Other bases for such admissions decision will also come readily to mind, although different faculty members will, no doubt, think of different achievements or characteristics they would value. One might, for example, give substantial weight to an Olympic gold medal, a Ph.D. in physics, the attainment of age 50 in a class that otherwise lacked anyone over 30, or the experience of having been a Vietnamese boat person. Precisely which characteristics should be valued is a matter left to the Dean of Admissions and the Admissions Committee as specified below. No doubt the kinds of conditions that make for valued diversity will change to some degree each year as the composition of the admissions committee changes. The varied perspectives from which

different committees will interpret the concept "diversity" should further enrich our school.

There is, however, a commitment to one particular type of diversity that the school has long had and which should continue. This is a commitment to racial and ethnic diversity with special reference to the inclusion of students from groups which have been historically discriminated against, like African-Americans, Hispanics and Native Americans, who without this commitment might not be represented in our student body in meaningful numbers. These students are particularly likely to have experiences and perspectives of special importance to our mission.

Over the past two decades, the law school has made special efforts to increase the numbers of such students in the school. We believe that the racial and ethnic diversity that has resulted has made the University of Michigan Law School a better law school than it could possibly have been otherwise. By enrolling a "critical mass" of minority students, we have ensured their ability to make unique contributions to the character of the Law School; the policies embodied in this document should ensure that those contributions continue in the future.

While one of our goals is to have substantial and meaningful racial and ethnic diversity, we do not, as we have already

indicated, mean to define diversity solely in terms of racial and ethnic status. Nor are we insensitive to the competition among all students for admission to this law school. Speaking generally, the faculty believes that the admission process has functioned well in recent years, producing classes both diverse and academically outstanding, classes made up of students who promise to continue the tradition of outstanding contribution by Michigan graduates to the legal profession.

Our object in this memorandum is therefore as much to ratify what has been done and to reaffirm our goals as it is to announce new policies. We do expect that in the foreseeable future the proportion of students we admit from the upper right portion of the index grid will either stay constant or will increase with broad improvements in our applicant pool. It is also worth noting, in connection with those goals which concern the overall composition of the class, such as adequate representation of Michigan residents, or diversity, that the more people we admit without reference to residency or diversity-relevant characteristics who nonetheless are Michigan residents or have particular diversity-relevant characteristics, the fewer other people will be aided significantly in the admissions process by residency or by those same diversity-relevant characteristics. This is obviously not a ceiling on the admission of residents or members of any other group. It merely reflects the fact that at some point the

relevance of residency as such, or of the possession of various diversity-relevant characteristics as such may be greatly diminished or exhausted.

In the course of regular consultation as the admissions year progresses, the Dean of Admissions should keep the Admissions Committee informed of the profile of offers and acceptances to date and of the evolving make-up of the class. Also, the Admissions Committee should read a representative sample of all files of students who are admitted from outside the upper right portion of the grid. The Committee should be consulted in any cases that present novel issues or raise general policy questions. And finally, as we have already noted concerning one particular sort of case, all students with relatively low indices should have their transcripts flagged so that each year's Committee may receive reports on such students' academic success. Such reports may help in further refinement of the selection process.

We believe that the policies and procedures specified above should each year yield a richly diverse class that is as capable as that to be found at any American law school. To this end, we recommend adoption of this report.

Don Herzog
Jeff Lehman
Don Regan
Ted Shaw
Dennis Shields (ex officio)
Richard Lempert (chair)

ROL:gcr

FIGURE ONE*

University of Michigan Grid 1991

GPA	No LSAT	All Applicants Applicants/Offers Average LSAT Score											TOTAL
		10-13	14-17	18-21	22-25	26-29	30-33	34-37	38-41	42-45	46-48		
>3.74	0/0	0/0	0/0	1/0	5/0	19/0	48/3	103/1	276/41	340/170	202/165	994/380	
3.74	0/0	0/0	1/0	2/0	13/0	36/0	92/5	209/6	499/36	544/136	241/169	1637/352	
3.50	0/0	0/0	2/0	6/0	14/0	58/0	145/5	260/17	463/27	477/54	183/56	1611/159	
3.49	0/0	3/0	5/0	19/0	27/0	73/0	132/2	186/12	319/14	249/9	89/16	1100/53	
3.24	0/0	1/0	5/0	20/0	41/0	65/1	85/0	108/2	154/5	103/8	37/2	618/18	
3.00	0/0	0/0	5/0	21/0	31/0	42/0	60/0	65/0	58/0	34/0	13/0	329/0	
2.99	0/0	2/0	3/0	10/0	18/0	43/0	38/0	31/1	18/0	11/0	3/0	180/1	
2.75	0/0	1/0	7/0	10/0	14/0	19/0	15/0	4/0	6/0	7/0	1/0	80/0	
2.74	0/0	1/0	7/0	6/0	14/0	6/0	2/0	1/0	2/0	0/0	0/0	14/0	
2.50	0/0	1/0	3/0	0/0	1/0	6/0	2/0	1/0	2/0	0/0	3/2	103/3	
2.49	0/0	3/0	3/0	3/0	5/0	11/0	9/0	11/0	13/0	4/1			
2.25	0/0	12/0	34/0	88/0	169/0	372/1	626/15	978/39	1808/123	1769/378	772/410	6666/966	

11/21/91 revised

*87% of the applicants we admit have LSAT scores and UGATs that place them in the upper right portion of the grid, as marked off by the solid line.