

**NAPLA HANDBOOK FOR  
PRE-LAW ADVISORS**

**Fourth Edition**

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## FOREWORD TO THE FOURTH EDITION

The intended audience for this handbook is pre-law advisors with no, some or tons of experience. The authors have provided just what a well-wrought film presents – a clear but complex story supported by a mosaic of details. So dive in and dig those mixed metaphors!

Many thanks to all who helped realize this NAPLA dream begun in 1995, especially the authors: Carol L. Wright, Dennis Shields of Duke University School of Law, the late Charles Longley of Bucknell University, Francis Graham Lee of St. Joseph's University, Frank X.J. Homer of the University of Scranton, Gail Dyer of Providence College, and Dom DeLeo of Boston College.

If you are an assiduous reader, have any suggestions for making this handbook even more useful, please feel free to contact me ([jeanne.dillon@tufts.edu](mailto:jeanne.dillon@tufts.edu)).

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# **I. THE LAW SCHOOL ADMISSION COUNCIL AND ALL ITS WORKS**

by Frank X. J. Homer

Updated February 2008

Anyone just beginning as a pre-law advisor should first get an overall view of law school admissions and the organization which monitors much of what the process involves – the Law School Admission Council (LSAC). The last two decades have witnessed large fluctuations in the number of those seeking admission into U. S. law schools. The applicant pool nationwide rose dramatically through the 1980's, reaching a peak of nearly 100,000 in 1990-91, only to decline some 30% by the end of the 1990's. Between 2000 and 2003, the applicant volume again surged dramatically. The number of persons taking the LSAT in 2002-2003 was the second largest number of test takers ever, and the total number of applicants that year exceeded 100,000. Throughout this period, the number of available first-year seats has increased only very slightly from around 42,000 to not much more than 45,000. Thus, even with fluctuations in applicant numbers, gaining admission to law school remains, as it always has been, a very competitive process. While each individual school of course makes its own admissions decisions and the level of competition among schools does vary depending upon the size and quality of their respective applicant pools, several services administered by the LSAC are an integral part of every application.

The Law School Admission Council (LSAC) is a nonprofit, membership corporation, comprising all 186 ABA-approved law schools in the United States plus fifteen Canadian law schools. Organized after the end of World War II, the LSAC provides a variety of services to member schools, including the Law School Admission Test (LSAT), originally developed and administered for the LSAC by the Educational Testing Service. Over the last thirty years, the LSAC has increasingly become the vehicle whereby applicant credentials get transmitted to the law schools to which they are applying. At the end of the 1970s, the LSAC created its own operating subsidiary, Law School Admission Services, headquartered in Newtown, PA, about thirty miles north of Philadelphia. More recently, the LSAC and Law Services were restructured into a single corporation under a single Board of Trustees whose chair and members are legal educators and administrators from member schools. The LSAC operations at Newtown are under the direction of a professional staff headed by the LSAC president and executive director.

## THE LAW SCHOOL ADMISSION TEST

Perhaps the most important work of The LSAC, and certainly the best known, is the administration of the LSAT, a standardized test required of all applicants to all LSAC-member schools. The test is offered at numerous test sites throughout the United States and abroad four times each year in June, early fall (either late September or early October), December, and February. The June test is given on a Monday afternoon, while the others are on Saturday mornings with special Monday administrations offered for Saturday Sabbath observers. Since its introduction in 1948, the LSAT has undergone several revisions in length, question types, and scoring scale. The current version was introduced June 1991 and has not been modified since then. Over the past several years, the test development staff at Newtown has worked on a long-term project to create a computerized version of the LSAT. While introduction of such a test is now technologically feasible, the LSAC does not believe there is presently sufficient reason to do so. In the meantime, new question types for the pen-and-paper test are under active development with several being field tested in 2002-2003. When these new question types are likely to appear in the actual test is not clear, but changes within the next several years is not unlikely.

### I. Content of the LSAT

The present LSAT is a five multiple-choice section, standardized aptitude test, followed by a thirty-five minute writing sample. Each of the five multiple-choice sections, containing a total of about 120–130 questions, is separately timed at thirty-five minutes each, with a brief fifteen-minute break between the third and fourth sections and a shorter one between completion of the multiple-choice test and distribution of the writing sample. Taking the test requires three and one-half hours, plus the breaks and the time needed for the distribution and collection of test materials, as well as other administrative test-center procedures. When these are factored in, the time between when test takers arrive at a test center and when they leave is at least four and one-half or five hours.

There are three different question types:

***Reading Comprehension:*** This type consists of four sets, each containing a reading passage approximately 450 words in length, followed by between five and eight questions for a total of about twenty-six to twenty-eight questions in an entire section. Individual questions deal with the main idea, primary purpose, or tone of passages as a whole; the meaning or function of individual words and

phrases; information or ideas either explicitly stated in or inferred from a passage; or the application of information in a passage to a new context.

Starting with the June 2007 administration, one of the four sets in the LSAT reading comprehension section will be a new variant of reading comprehension, called comparative reading. In general, comparative reading questions are similar to traditional reading comprehension questions, except that comparative reading questions are based on two shorter passages instead of one longer passage. The two passages together are of roughly the same length as one reading comprehension passage, so the total amount of reading in the reading comprehension section will remain essentially the same. A few of the questions that follow a comparative reading passage pair might concern only one of the two passages, but most will be about both passages and how they relate to each other. Comparative reading questions reflect the nature of some important tasks in law school work, such as understanding arguments from multiple texts by applying skills of comparison, contrast, generalization and synthesis to the texts. The purpose of comparative reading is to assess this important set of skills directly. The two passages in a comparative reading set — labeled “**Passage A**” and “**Passage B**”— discuss the same topic or related topics. The topics fall into the same academic categories traditionally used in reading comprehension: humanities, natural sciences, social sciences, and issues related to the law. Like traditional reading comprehension passages, comparative reading passages are complex and generally involve argument. The two passages in a comparative reading pair are typically adapted from two different published sources written by two different authors. They are usually independent of each other, with neither author responding directly to the other.

Questions that are concerned with only one of the passages are essentially identical to traditional reading comprehension questions. Questions that address both passages test the same fundamental reading skills as traditional reading comprehension questions, but the skills are applied to two texts instead of one. You may be asked to identify a main purpose shared by both passages, a statement with which both authors would agree, or a similarity or dissimilarity in the structure of the arguments in the two passages.

**Analytical Reasoning:** Often called Logic Games, this type consists of four sets, each containing a problem involving the grouping, assignment, or ordering of certain items, or possibly their spatial relationship. Following the explanation of each problem, including the conditions governing the particular arrangement, are

between five and seven questions for a total of approximately twenty-four in the entire section. Individual questions are either based solely upon the general problem and specific conditions given initially which apply to all questions in the set, or involve adding to these a new condition that is only relevant to the answering of that one question.

***Logical Thinking:*** This type consists of approximately twenty-four to twenty-six questions that are not grouped into sets, except for a few where two questions are based upon a common stimulus. Each question begins with an argument contained in either a few sentences, a very brief paragraph, or a short piece of dialogue. Individual questions deal with identifying the point of an argument, assumptions or premises upon which it is based, inferences that follow from the premises or evidence given, the overall structure of the reasoning used in an argument, errors or fallacies contained in an argument, the application of the principle in an argument a new context, or whether an additional piece of evidence strengthens or weakens an argument.

There is no fixed sequence in which sections of the different question types are presented; the order in which they appear in test booklets varies from one edition of the test to another. Likewise, while individual questions do vary in terms of difficulty level, the order in which they appear in the test booklet is not necessarily determined by this. Test takers should not assume that the next question, or set of questions, is going to be more difficult than the one on which they are working at any given point in the test.

In accordance with the legal requirements established by certain states, most editions of the LSAT are disclosed following their administration. Those taking these tests receive with their score a copy of all scored test questions and a comparison of their responses to the correct or “credited” answers. Beginning with the June 2003 test, test takers who have established on-line accounts with LSAC receive their scores by e-mail and can access the disclosed test book on the LSAC Web site. Presently, all tests administered in February, as well as the special Monday administrations for Saturday Sabbath observers in the early fall and December, are not disclosed. Those taking these tests receive nothing other than their scores. All disclosed tests, from June 1991 on, are available for purchase by prospective test takers and represent the single most useful preparation material. Disclosed questions will not appear on any subsequent LSAT.

## **II. Scoring of the LSAT**

Only four of the five multiple-choice sections are scored. They consist of one section of Reading Comprehension, one section of Analytical Reasoning, and two sections of Logical Reasoning questions. There is one unscored section which can be of any one of the three question types. The placement of the unscored section is completely random, varying from one edition of the test to another. Since there is no way a test taker can identify the non-scored section while taking the test, every section must be approached with the assumption that it will be scored. When tests are disclosed, only the scored sections are made public. The unscored sections are used as a means of pretesting individual questions and preequating new test forms.

An LSAT score is a three-digit number ranging from 120 to 180, determined by the total number of correct answers to the approximately 99–101 questions contained in the four scored sections. The total number of correct answers on all of the four scored sections represents a test taker's raw score. This raw score is then plugged into a conversion chart to determine what score on the 120 to 180 corresponds to that specific number of correct answers on that specific edition of the test.

Each edition of the test has its own unique conversion chart that is the product of intricate calculations on the part of the Test Development & Research staff in Newtown. Using data compiled from the both the pretesting of each of the scored questions as well as post-test equating, the conversion chart is designed to ensure that scores on the 120–180 scale are absolutely equatable from one test administration to another.

Reproduced on page 5 is a sample conversion chart used for the June 2002 LSAT to convert raw scores (the number of correct answers) to a score on the 120-180 scale. While every conversion chart is different, and is constructed to take into account variations in the overall difficulty level between one test edition and another, they all have a somewhat similar appearance. For every edition of the test, there is a threshold number of correct answers, usually somewhere between thirteen and seventeen, needed before a test taker's score begins to rise above 120. Generally, once test takers get beyond this initial threshold, every three to four additional correct answers will add roughly two points to their score.

#### **Conversion Chart for the June 2002 LSAT**

| <b>Raw Score</b> | <b>LSAT Score</b> | <b>Raw Score</b> | <b>LSAT Score</b> | <b>Raw Score</b> | <b>LSAT Score</b> |
|------------------|-------------------|------------------|-------------------|------------------|-------------------|
| 100–101          | 180               | 74-75            | 159               | 36-37            | 138               |

|       |     |       |     |       |     |
|-------|-----|-------|-----|-------|-----|
| 99    | 179 | 72-73 | 158 | 35    | 137 |
| 98    | 178 | 70-71 | 157 | 33-34 | 136 |
| 97    | 177 | 68-69 | 156 | 32    | 135 |
| ---   | 176 | 67    | 155 | 30-31 | 134 |
| 96    | 175 | 65-66 | 154 | 29    | 133 |
| 95    | 174 | 63-64 | 153 | 28    | 132 |
| 94    | 173 | 61-62 | 152 | 27    | 131 |
| 93    | 172 | 59-60 | 151 | 25-26 | 130 |
| 92    | 171 | 57-58 | 150 | 24    | 129 |
| 91    | 170 | 56    | 149 | 23    | 128 |
| 89-90 | 169 | 54-55 | 148 | 22    | 127 |
| 88    | 168 | 52-53 | 147 | 21    | 126 |
| 87    | 167 | 50-51 | 146 | ---   | 125 |
| 85-86 | 166 | 48-49 | 145 | 20    | 124 |
| 84    | 165 | 47    | 144 | 19    | 123 |
| 82-83 | 164 | 45-46 | 143 | ---   | 122 |
| 81    | 163 | 43-44 | 142 | 18    | 121 |
| 79-80 | 162 | 41-42 | 141 | 0-17  | 120 |
| 77-78 | 161 | 40    | 140 |       |     |
| 76    | 160 | 38-39 | 139 |       |     |

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On all conversion charts, there are several points at which a difference of just one correct answer does not change the score. On the June 2002 test, for example, those with either seventy-four or seventy-five correct answers out of the total of 101 scored questions received the same score of 159. Likewise, there are usually one or more points where there is no raw score corresponding to a particular scaled score; in June 2002, for example, no test taker could receive a 176, 125 or 122.

Differences between conversion charts are not all that great, but they are designed to take into account variations in overall difficulty level among editions of the test. Thus, the fact that June 2002 test takers with seventy-five correct answers received a score of 159, while the same number of correct answers in the test administered in December 2002 produced a score of 162 indicates that the December test had a somewhat higher degree of difficulty than the June test in which a score of 162 required either seventy-nine or eighty correct answers. The respective conversion charts ensure that test takers whose raw scores are somewhat lower (because of a higher difficulty level in the test they took) are not penalized and that their scaled score between 20–180 is absolutely equatable with the same score received by others taking the test at different administrations.

Throughout the test, there is a definite variation in difficulty level among individual question types, but this has no relevance to the test taker’s raw score which is based solely and entirely on the total of correct answers. For test takers, all that matters is increasing the number of correct answers. Each right answer has the same weight in the raw score, regardless of how more or less difficult the question may be, and increasing the raw score is the only way test takers can in any way influence their LSAT score.

The scoring of the LSAT, unlike that of some other standardized tests, does not make any distinction between an answer that is incorrect on the answer sheet and one where an answer is left blank. The raw score is nothing other than the total number of correct answers. There is absolutely no penalty for guessing; **therefore, no question should go unanswered!**

Whenever an LSAT score is reported, it is also accompanied by a percentile ranking. These are not based on how that score compares to the others achieved on that particular administration of the test, but rather on the distribution of scores among all test takers on all administrations of the test over the most recent three full testing years. The percentile ranking indicates what percentage of all of those test takers had scores below the reported score. Shown below is the distribution of scores for all test takers between June 2003 and February 2006 upon which the percentiles for scores during the 2004-2005 testing year were based.

**LSAT Score Percentiles for 2006-2007**

| <b>Scaled Score</b> | <b>Percent Scoring below (2003-2006)</b> | <b>Scaled Score</b> | <b>Percent Scoring below (2003-2006)</b> | <b>Scaled Score</b> | <b>Percent Scoring below (2003-2006)</b> |
|---------------------|--|---------------------|--|---------------------|--|
|---------------------|--|---------------------|--|---------------------|--|

|     |      |     |      |     |     |
|-----|------|-----|------|-----|-----|
| 180 | 99.9 | 159 | 79.4 | 138 | 9.3 |
| 179 | 99.9 | 158 | 75.4 | 137 | 7.6 |
| 178 | 99.9 | 157 | 72.3 | 136 | 6.5 |
| 177 | 99.8 | 156 | 68.2 | 135 | 5.2 |
| 176 | 99.7 | 155 | 64.8 | 134 | 4.4 |
| 175 | 99.6 | 154 | 60.8 | 133 | 3.5 |
| 174 | 99.3 | 153 | 56.8 | 132 | 2.9 |
| 173 | 99.1 | 152 | 52.6 | 131 | 2.3 |
| 172 | 98.8 | 151 | 48.6 | 130 | 1.8 |
| 171 | 98.3 | 150 | 44.5 | 129 | 1.4 |
| 170 | 97.8 | 149 | 40.5 | 128 | 1.1 |
| 169 | 97.1 | 148 | 36.6 | 127 | 0.9 |
| 168 | 96.3 | 147 | 33.0 | 126 | 0.7 |
| 167 | 95.4 | 146 | 29.4 | 125 | 0.6 |
| 166 | 93.8 | 145 | 26.5 | 124 | 0.4 |
| 165 | 92.6 | 144 | 23.2 | 123 | 0.3 |
| 164 | 90.9 | 143 | 19.9 | 122 | 0.3 |
| 163 | 88.9 | 142 | 17.5 | 121 | 0.2 |
| 162 | 86.8 | 141 | 15.2 | 120 | 0.0 |
| 161 | 84.3 | 140 | 12.9 |     |     |
| 160 | 81.7 | 139 | 11.0 |     |     |

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Since the present test format was introduced in 1991, the difference in the distribution of scores across the 120-180 scale from one testing year to another has been minimal. Over those fifteen years the 50<sup>th</sup> percentile, i.e., the median score, has moved no more than perhaps a point, from somewhere between 150-151 to somewhere between 151-152. Similarly; a 156, for instance, has consistently been a score at or very close to the 70<sup>th</sup>

percentile, above which approximately only 30% of test-takers are ever able to score. As long as the current test format remains in place the percentile rankings are not likely to vary.

The distributions of scores on the current LSAT show that roughly 70% of all scores consistently fall somewhere between 143, below which are the bottom 20%, and 163, above which are the top 10%. Thus, within that twenty-point range, what may seem to be relatively modest score differences do actually represent rather significant increases in percentile rankings. For example, a test taker with a 153 is roughly only within the top 43% of all test takers, while someone with a 158 falls within the top 25%

### **III. Writing Sample**

The writing sample is administered separately, following completion of the five-section test. The writing sample exercise begins by presenting the test taker with a randomly assigned prompt or stimulus describing a situation in which a person or group is deciding between two alternative courses of action. The criteria upon which the decision is to be made and the two alternatives are explained, and the test taker is asked to write in support of one of the two alternatives. Either of the alternative choices will be a quite reasonable option that can be supported based on the information given; neither is necessarily the “right” or “wrong” choice. What matters is how well the test taker can write on behalf of whichever option is being supported. The reading of the stimulus and writing of the sample must all be done within a thirty-five minute time limit. Unlike questions on disclosed editions of the test, previously used writing sample stimuli may reappear on later tests.

The writing sample can be no longer than two pages and must be written inside the lined area provided in the writing sample booklet. The thirty-five minutes provide enough for test takers to organize their thoughts before actually writing their sample. Scratch paper and a black ink pen are provided. The booklet contains a sheet of carbonless-paper which produces a copy of the sample for the test taker.

The writing sample is not scored; it is simply duplicated and a copy sent to law schools along with an applicant’s LSAT score. The way in which the sample is used by law schools varies considerably; however, for the most part, its role in the admissions process is minimal compared to the substantial weight given to the LSAT score. Given the fact that the sample is done immediately following completion of a physically and intellectually demanding test of several hours’ duration, law schools hardly expect scintillating prose.

Test takers are well advised to concentrate on avoiding glaring grammatical or spelling errors and making sure that what they write is at least clear and to the point. The proper use of paragraph structure can help in providing organizational structure to the writing sample.

#### **IV. What Does the LSAT Test?**

Most directly, the LSAT is designed to measure a number of intellectual abilities found to be critical in legal study, in particular:

##### **A. *Verbal Facility:***

While most obviously the focus of the Reading Comprehension type of questions, test takers are being tested throughout the entire test on their ability to understand the meaning of words and phrases, both in terms of explicit meaning and inferences that follow from their connotation; to recognize grammatical structure, to be sensitive to how tone and attitude are reflected in language, and to apply information presented in one context to another.

##### **B. *Analytical Skills:***

The LSAT requires test takers to be able to break down and to organize information in a systematic fashion. This is particularly true in the case of the Analytical Reasoning question type where test takers must first get a sense of the overall shape of a problem, and then see how individual pieces of information fit into it, which often involves construction of a rudimentary chart or diagram to aid in answering the questions that follow. Analytical skills, however, relate to other parts of the LSAT, as well; in the reading comprehension passages, for instance, understanding a passage's organizational structure is frequently a key to answering questions. Throughout the test, test takers need to be able to sift through information presented in a variety of formats, and to sort out what is and is not relevant to the answering of particular questions.

##### **C. *Logical Reasoning:***

In addition to the two scored sections of Logical Reasoning questions, which deal explicitly with the logic of given arguments, the entire LSAT involves an even more fundamental logic implicit in the fact that, among the five answer options for every question in every section (A through E), there is always to be found the one correct response and four others that are incorrect. Thus, whenever one particular answer option can be identified as necessarily correct, the others must *necessarily* be incorrect. Conversely, whenever four of the five are found to be unacceptable, the

remaining choice must *necessarily* be the correct answer. For most of the test, in the Reading Comprehension and Logical Reasoning sections, identification of the correct answer cannot be done without taking all of the five answers into consideration. Most of the questions in those sections deal with what might be called relative correctness, where, for example, a question on a reading passage might ask “which of the following best represents the passage’s main point?” In such cases, what essentially makes the correct answer correct is that it is better than all of the other choices on the menu. Questions in the Analytical Reasoning sections, however, involve absolute correctness in that each answer option, independently of the others, is either absolutely correct or absolutely incorrect. In such cases, once a test taker identifies one correct response, all the others, whether looked at or not, can be discarded. Analytical Reasoning questions, in particular, also require test takers to understand the distinction between logical possibility and logical necessity, or, to put it another way, the distinction between “can” and “must.”

Beyond these intellectual abilities, the LSAT is also designed to test several other capabilities:

***D. Stability under Pressure:***

As much a part of the LSAT as the questions is the time factor built into the test, which in two ways creates a pressurized environment for the test taker. First of all, the very length of the test requires test takers to work continuously for almost three hours with only one brief break; thus, a certain amount of physical stamina comes into play. Secondly, and a source of even more pressure, is the thirty-five minute time limit for every section of the test. Most test takers at some point during the test find themselves running out of time and not able to finish completely one or more sections, in which case they need to suppress the temptation to panic and be able to concentrate on getting as many correct answers as possible.

***E. Tolerance of Ambiguity:***

As noted above, in both the Reading Comprehension and Logical Reasoning question types, the correctness of the right answer is relative to the other options in the test booklet, where the test taker is asked to identify an answer that is somehow superior to the other options available (e.g., “which of the following *best* summarizes the author’s viewpoint?” or “which of the following *most* strengthens/weakens the argument above?”). Often, in such cases, test takers can conceive of answers that are more clearly correct than any of the five options presented in the test booklet. Test takers need to understand that if there is a discernible flaw in four of the options

presented, the remaining choice is the correct answer, even if it is not a perfect response.

***F. Ability to Deal with the Unfamiliar:***

Not only is the overall format of the LSAT a rather artificial test-taking situation in which test takers must be able to function, but also many of the questions will almost certainly present all test takers, regardless of their academic background, with unfamiliar material. This is particularly true of the reading passages in the Reading Comprehension section which involve topics from virtually any field in the natural sciences, social sciences, or humanities. At least one of the four passages is almost always technical or scientific in nature, a fact which not infrequently causes humanities majors some consternation. Test takers need to understand that all the information needed to answer questions is given to them in the test. The test is carefully designed not to give any advantage to test takers who majored in any one particular undergraduate concentration. In fact, in cases where a reading passage happens to deal with a topic a test taker has studied, care must be taken not to choose answers on the basis of knowledge that goes beyond information presented in the test booklet.

**V. How the Test Is Tested**

While the LSAT tests a variety of skills and aptitudes, it is used to predict only one thing, first-year grades in law school. Almost all law schools participate in validity studies that are regularly conducted by the Law School Admission Council in which students' first-year law school grades are compared with their LSAT scores. While there is not perfect correlation between the way students rank by LSAT score and their ranking by first-year law grades, there is enough correlation to show that the LSAT does help in predicting first-year performance. Correlation between the two is measured in terms of a coefficient between 1.00 (an exact correlation) and zero (no correlation at all other than pure coincidence). While the level of correlation at individual law schools varies greatly, the median coefficient based on the most recent validity studies was .42, and, when LSAT scores were combined with undergraduate grades, the correlation between them and first-year grades rose to .50. Thus, while not a perfect predictor, there is documented correlation between it and first-year law school performance. The LSAC issues guidelines on use of the LSAT to law schools which point out the limitations of the LSAT as a predictor. Law schools are told not to rely solely upon the test as a criterion for admission,

and are encouraged to assess the predictive utility of the LSAT on the basis of validity studies involving the actual performance of students at their own institution.

The reliability and precision of the LSAT is also measured by two other statistics, a reliability coefficient and a standard error of measurement. The reliability coefficient indicates how consistent a test taker's performance would be if the same test were to be taken repeatedly. The reliability coefficient for every LSAT administered over the past several years has been above .90, indicating a high degree of reliability. The standard error of measurement (SEM) is a more useful statistic for both the interpretation on individual scores and for comparing the scores among different test takers. In terms of individual scores, the SEM for recent LSATs has ranged from 2.54 to 2.73, approximately two and one-half points on the scoring scale. A test taker's actual score will be within one SEM of his or her "true score" approximately 68% of the time, and within two SEMs approximately 95% of the time. In comparing the scores of two different test takers, the SEM is about 1.4 times greater than it is for the interpretation of individual scores, or just under four points on the scoring scale. Small score differences among different test takers, therefore, may not represent real differences in abilities, as much as measurement error, and the LSAC cautionary guidelines advise law schools not to put undue weight on small score differences among applicants.

The SEM is the basis for the score bands that, since the 1997-98 testing year, have accompanied individual test taker score reports. The score band will typically show a range of seven points within the 120-180 scale, i.e. from three points above the actual score to three points below, except in cases where the actual score is at either extreme end of the scoring scale. The score band for the average of multiple scores will show a narrower range, typically five points. The inclusion of score bands in score reports has not changed the manner in which law schools treat applicant LSAT scores, except as a means of reminding them that modest score differences are not a sufficient basis for an admissions decision.

## **VI. Preparation for the LSAT**

The skills which the LSAT tests are ultimately the product of years of both formal and informal education. Prospective test takers cannot expect to remedy substantive deficiencies in their educational background going back many years in just a few months prior to taking the LSAT. Preparation for the LSAT essentially involves familiarization with the format of the test so that the test takers can use those skills which they already

possess to their fullest possible extent. Repeated use of authentic practice tests under simulated test conditions is at the heart of effective test preparation.

There are several ways in which test takers can prepare for the test, including entirely on their own. Virtually every disclosed test since 1991 is available for purchase from the LSAC, either as an individual *PrepTest* or as part of books containing either three or as many as ten authentic *PrepTests*. One, provided absolutely free of charge, can be found either in the *LSAT & LSDAS Information Book* or can be accessed on the LSAC Web site ([www.lsac.org](http://www.lsac.org)). These past tests represent the single best preparation material available anywhere at any price. Since preparation on one's own requires a certain amount of self-discipline, many prospective test takers seek assistance and are often drawn to commercial test preparation services that advertise extensively at campuses throughout the country. There is a good number of such commercial organizations operating either nationally or regionally. All seek to persuade applicants that using their services will give them an advantage over other test takers and somehow guarantee them higher scores, all for a fee that often exceeds \$1000.

Conscientious pre-law advisors have an obligation to inform their pre-law candidates that, however helpful commercial test preparers might be, their services do not, in fact, offer anything that prospective test takers cannot, given time and motivation, do on their own. Advisors should seek to insure that the misleading advertising put out by commercial groups does not lead their advisees to believe that commercial test preparers possess some secret, inside information to which they and they alone have access. A growing number of advisors at undergraduate institutions provide an alternative to commercials by means of low-cost, on-campus workshops. Advisors interested in organizing such alternatives may make contact with those with experience in this area through the regional pre-law advisor associations, just one of many benefits to be derived from membership in one's regional APLA.

Whatever method of preparation one chooses, the following elements are of prime importance:

- Repeated timed practice using authentic past LSATs. If at all possible, four scored sections should be done in one sitting, or at least one or more full thirty-five minute sections. After each practice test, areas of weakness (and strength) should be reviewed. Doing questions at random, flipping back and forth to the answers in the back of the test booklet, is not only of no help, but

can be positively harmful in that it does not properly simulate the actual test environment.

- Understanding the structure of the test and how it is scored in order to make the most productive use of the time available, i.e., to get the highest number of correct responses possible within the thirty-five minutes allotted to each section. Test takers who, after repeated practice, discover that they consistently have difficulty finishing sections of a particular question type might realize that they actually get more right answers working on just three reading passages or analytical reasoning problems and simply guessing on the remaining passage or problem, rather than rushing to complete the entire section. Answering seventy-five percent of all scored questions correctly will always produce a fairly competitive score. Such a defensive strategy is not, of course, appropriate to all test takers; however, it is just one example of the importance of time management in taking the LSAT.
  
- Managing the answer sheet. Like all standardized tests, the LSAT uses a machine-scored answer sheet to record test taker responses. Part of effective time management is being able to transfer answers quickly and accurately to the answer sheet, making sure not to lose one's place on the sheet, or to forget to record guesses on any questions left unanswered as the thirty-five minutes are about to run out.
  
- Recognizing at what point, after repeated use of practice tests, one's score reaches a point where it does not seem to rise from one test to another. There is a point at which test preparation can become obsessive; test takers need to understand that, once they are able to achieve a score that matches the upper range of their actual abilities, they have done all that any test preparation method can provide.

### **THE LAW SCHOOL DATA ASSEMBLY SERVICE**

The LSDAS is a service that assembles and/or summarizes data from the academic transcripts, letters of recommendation, and LSAT scores of law school applicants, and then transmits these to the individual law schools to which applicants make application. Candidates subscribe to this service, which is required by every accredited law school, using

the same process that is used for LSAT registration. Following registration, candidates must request that an official copy of their academic transcript be sent *from every college or university they have ever attended*. Ideally, these transcripts requests should be made by mid-summer. Transcript Request Forms for this purpose can be accessed at the LSAC Web site ([www.lsac.org](http://www.lsac.org)).

Following receipt of these transcripts, the LSDAS staff in Newtown prepares an overview of all undergraduate work, summarizing the candidate's academic record year-by-year and calculating a cumulative undergraduate grade point average (GPA) based on all courses taken at all schools, not simply the degree-granting institution. Grades are converted to a standard grading scale, a 4.0 scale similar, if not identical, to what the majority of schools use. A detailed explanation of the scale used by the LSDAS can be found in the *Information Book*, as well as the LSAC Web site. Pre-law advisors at schools using grading scales that vary from this scale need to make their advisees aware that there will be some difference between the cumulative GPA shown on their transcript and what appears on the summary LSDAS Report. One common source of variance is where a school does not figure into its GPA failures in courses that have been subsequently retaken and passed. The LSDAS counts all F or WF grades that appear on transcripts. Transcripts for post-baccalaureate work should also be sent to the LSDAS, which will transmit copies to law schools; however, they are not included in the summary data on the LSDAS Report.

LSDAS subscribers will receive a Master LSDAS Report containing the summary of their undergraduate grades and all LSAT scores for tests taken within the previous five years. Many LSDAS Reports sent to individual law schools also include an admissions index calculated by the LSDAS using a formula supplied by that particular law school. Some schools do not use such an index, and those that do use different formulas. They all, however, involve combining the LSAT score and cumulative GPA with one or more numerical constants. Applicants receive a list of schools utilizing admission indices with the formulas used by each school. This list is provided to advisors as part of the annual Pre-Law Advisor Action Reports discussed later in this chapter and the next.<sup>1</sup>

Individual LSDAS Reports are automatically requested by schools following their receipt of applications. Applicants, however, must pay a separate fee for each report.

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<sup>1</sup>A mathematical comparison of these formulas can provide some insight into variations in the relative weight given to the LSAT score and to the GPA among different schools. Cf. J. Joseph Burns, "The Great Law School Admission Index Mystery," *NAPLA Notes*, XVI (Spring 1995), 40–49.

Applicants can order LSDAS Reports, either when first subscribing to the LSDAS or at any time thereafter.. To do so, candidates do not have to know which law schools to which they intend to apply, but simply need to make an educated estimate of the number of schools and order enough additional reports. If an applicant subsequently decides to apply to more schools, additional reports can be ordered using the Additional Report order form on the LSAC Web site. Each LSDAS report includes complete photocopies of all transcripts, letters of recommendation, and the applicant's LSAT writing sample. For applicants who have repeated the test, copies of the three most recent writing samples are included.

The LSDAS also includes a letter of recommendation (LOR) service. Forms to be given by applicants to those writing letters on their behalf can be downloaded from the LSAC Web site. The completed forms along with the letter are to be sent by the writer directly to the LSDAS. This service allows referees to write only a single copy of their letter which the LSDAS will duplicate and send to individual law schools as part of the LSDAS report. While the service initially was limited to generic letters intended to go to every law school to which an applicant applied, enhancements to the letter of recommendation service were introduced in the fall of 2004 which now permits those LSDAS registrants who have established an online account to direct letters of recommendation to specific law schools based on each school's requirements or preferences. Applicants making use of the enhanced service need to make sure that they go to the LSAC Web site to identify those letters which they wish to go to specific schools, and that they have the writers of these school-specific letters to identify their letters in the same way when they send the letters to the LSDAS.

Previously, LSAC would accept only one letter per recommender—up to three letters total—which were sent to law schools based on the order they were received. Now, an applicant with an online account with the LSDAS may have up to four general letters on file in addition to numerous directed letters. Multiple LORs from a single recommender will be accepted. This provides the applicant with the opportunity to request both general and targeted letters from each recommender. In the absence of any specific designations, LSAC will send general letters in the order they are received, up to the number of letters each school will accept. Each law school's LOR preferences are shown to applicants onscreen as they as they utilize the online enhancements to the LOR service. While the letter of

recommendation service remains optional, since its introduction in 1998-99, the percentage of applicants using it has grown steadily and with the new enhancements there is no reason why applicants should be use it for virtually all letters.

An LSDAS subscription is valid for a five-year month period starting from the time of initial registration, but whenever a subscriber registers for the LSAT during that period, the registration is automatically extended for another five years. Typically, applicants will subscribe approximately a year before they expect to enter law school, although some may do so even earlier if they wish to have a letter of recommendation placed on file. Applicants still completing their undergraduate degree work, even if they register with the LSDAS before the end of their junior year, should not submit transcripts until grades for all coursework through the end of their third year are posted on their transcripts. Those still completing their senior year can submit updated transcripts showing seventh-semester grades which will be sent, at no additional cost, to law schools, but submission of initial transcripts should not be delayed past the early fall.

### **CANDIDATE REFERRAL SERVICE**

Prospective law school applicants registering for either the LSAT or LSDAS are invited to authorize release of background information, including name, address, ethnicity, citizenship, gender, as well as information on academic record and LSAT score, to interested law schools. They also have the option of indicating preferences in terms of law school location, curriculum, student activities, and full-time versus part-time programs. Many law schools, seeking applicants with particular backgrounds, will use the CRS to identify applicants whom they will invite to make application to their schools. While the CRS is perhaps most often utilized by schools seeking to identify minority or disadvantaged applicants, it can possibly bring to any applicant's attention a school which matches up well with their credentials and which they might otherwise have ignored. Pre-law advisors generally encourage applicants to authorize participation in the CRS.

### **LSAC FORUMS**

The LSAC annually sponsors forums in at least eight major cities at which prospective applicants can meet face to face with admission professionals from law schools

throughout the country. Participants can collect admission materials, catalogs, as well as attend workshops on topics such as financial aid and issues of relevance to minority applicants. Brief videotapes on the law school admission process, legal education, and the legal profession are also available for general viewing at these forums.

The forums begin with a one-day forum in Washington, DC, on a Saturday in July, and continue with forums in New York, Chicago, Atlanta, Boston, Texas (alternating between Dallas and Houston), Los Angeles, and the Bay Area in Northern California taking place from mid-September into mid-November. The forums in Atlanta, Chicago, Los Angeles, and New York currently extend over two days, with the rest limited to just one day.

Pre-law advisors at schools close to forum sites should encourage students and alumni to attend these and, in some cases, can organize vans or buses to provide transportation. The forums also provide an opportunity for advisors to make contact with law school representatives, with whom they are invited to share lunch. At several recent forums, advisors from regional APLAs have staffed pre-law advisor tables which have proven quite popular among prospective applicants attending the forums, especially those out of college for some time who do not have ready access to the pre-law advisor at their undergraduate alma maters. NAPLA provides advising at the Washington New York, and Boston forums.

In addition to sponsoring these national forums, the LSAC also prepares an annual Recruitment Calendar listing all of the individual law days and law fairs held at schools across the country. Not only does this aid admissions representatives in scheduling their trips, it provides advisors organizing these events a means of at least trying to avoid conflicts in scheduling with other law days and fairs in their region. Given the number of such events, mostly sandwiched each fall between mid-September and November, conflicts are inevitable; however, the centralized Recruitment Calendar has helped to reduce them.

### **SERVICES PROVIDED BY THE LSAC TO PRE-LAW ADVISORS**

While the LSAC has always given first priority to the services it provides to its member law schools, and secondly to those provided to law school applicants, they, like

experienced admissions professionals at individual law schools, recognize that pre-law advisors share in a common interest that that law school applicants have as much access to authoritative and accurate information as possible while they move through the various stages of the admissions process. Since applicants can only be as well informed as those who advise them, the LSAC provides to advisors a number of indispensable informational resources.

Anyone involved in pre-law advising at an undergraduate institution should make sure their names are included on the LSAC's mailing list. The LSAC maintains two separate listings of undergraduate advisors. First is the listing of sole or coordinating advisors, one person at virtually every undergraduate school who is the recipient for the mailing of the *Information Books*, as well as LSAT score reports and Action Reports for applicants from that particular institution. All other advisors, and many schools have several people involved in pre-law advising work, are placed on a second list of supporting advisors. Newly appointed advisors should contact Tracy Beck at the LSAC in Newtown (phone: 215-968-1170; fax: 215-968-1169; e-mail: tbeck@lsac.org) to request inclusion on either of the two listings. Changes in the designation of an institution's sole or coordinating advisor must be submitted on the school's letterhead.

In addition to a newsletter, *The LSAC Report*, coordinating advisors automatically receive each of the following reference sources that are updated annually. Copies are available to supporting advisors upon request.

### ***Law School Admission Reference Manual***

This manual, developed for admissions professionals at law schools, outlines in detail virtually every aspect of the law school admission process and the operations of the LSAC. Included in the manual is the LSAC Statement of Good Admission and Financial Aid Practices. This statement, regularly updated, outlines a set of principles which should guide the operation of law school admission and financial aid programs. Among these, for example, is an admonition against requiring deposits from accepted applicants prior to April 1<sup>st</sup>. Pre-law advisors should familiarize themselves with these guidelines and, if ever they or their advisees encounter schools failing to abide by the LSAC principles,

they should bring this to the attention of both the LSAC and their own regional pre-law advisor association. The Statement can be accessed on the LSAC Web site.

### ***Law School Admission Directory***

This directory lists the names and addresses of deans, admission officers, financial aid directors, placement directors, and minority liaisons at all ABA-approved law schools. It also contains a complete listing of LSAC officers, trustees, and committee members, as well as all of the LSAC staff in Newtown. Finally, the directory includes the names and addresses of other organizations concerned with legal education, and of all members of the Pre-Law Advisor National Council (PLANEC).

### ***Pre-law Advisor Directory***

This directory lists the names and addresses of the sole or coordinating advisors at undergraduate institutions throughout the nation. Listings are arranged by states, with the schools in each state listed alphabetically. An alphabetical index by the advisors' names is provided at the end.

### ***LSAT Score Reports and Action Reports***

Sole or coordinating advisors at every undergraduate degree-granting institution receive, after each LSAT administration, a summary report of scores for all test takers from their school who, on their LSAT registration form, authorized release to their undergraduate pre-law advisor of information regarding LSAT score(s) and subsequent law school applications. Pre-law advisors generally encourage registrants to authorize such release, with the understanding that all personally identifiable information will be kept confidential.

Perhaps the single most useful service provided to pre-law advisors by the LSAC is the annual Action Report sent out in January or February containing summary statistics on the number of applicants, acceptees, and matriculants from each undergraduate school, as well as the names of individual applicants, the schools to which they applied, and the action taken on these. Despite the lateness of the date by which they are available, and the fact that information on individual applicants is restricted to those who authorized its release, the Action Reports can provide to advisors concrete data on applicants from their own

school that in turn can be used to furnish their current advisees with highly effective guidance. (See the next chapter on “Setting up a Pre-Law Advising Office” for further information on how to make the most effective use of Action Reports.)

While the Action Reports are provided free of charge, they are sent only to those sole and coordinating advisors who sign agreements each fall to respect the confidentiality of all personally identifiable information contained in the Reports. Supporting advisors should make sure they know who is the designated coordinating advisor at their school so that they can have access to at least the summary statistics and, when warranted under the confidentiality restrictions, to other data contained in the Action Reports.

In addition to all of the above, the LSAC also produces several publications designed for applicants, particularly *The Official Guide to U.S. Law Schools* (produced in partnership with the American Bar Association) and disclosed past LSATs, either as individual *PrepTests* or *TriplePrep Books*, which represent an important resource for advisors who can often, upon request, obtain complimentary copies. (A listing of these publications can be found in the section on “The Pre-Law Advisor’s Resource Library” in the chapter on “Setting up a Pre-Law Advising Office.”) All of the information contained in the *ABA-LSAC Official Guide* can be accessed through the LSAC Web site at [lsac.org](http://lsac.org). Applicants who establish an online account with the LSAC are able to not only access the Official Guide information, but also generate law school applications electronically. LSAC's Online Services now cover virtually all aspects of the admissions process, from registration for the LSAT and LSDAS, to receipt of LSAT scores, to the submission of applications.

## PLANC AND ALL THE APLAS ON THE TREE

While not formally connected to the LSAC, the six regional pre-law advisor associations serve as a valuable means of communication between the advising community and the Law School Admission Council. For more than two decades, pre-law advisors have been able to draw upon the experience and expertise of their counterparts at other institutions through these regional associations, starting with the Northeast Association of Pre-Law Advisors (NAPLA) which was founded in 1973. Five other regional associations, the Midwest (MAPLA), the Southern (SAPLA), the Southwest (SWAPLA), the Western (WAPLA), and the Pacific Coast (PCAPLA), were formed subsequently. Each holds annual meetings or workshops and publishes newsletters providing a regular interchange among undergraduate advisors, as well as between them and law school admissions officers.

Given the diversity among pre-law advisors whose numbers include faculty members, academic administrators or advisors, and career counselors and whose institutional resources often vary greatly, the opportunities provided by these regional associations for information sharing and for networking are invaluable. One of the first things any new advisors ought to do is make sure they are affiliated with one of the regional APLAs. Each draws its membership primarily, although not exclusively, from its geographical region, such as, for example, NAPLA which covers states from Maine through Virginia. The boundaries of several associations overlap, and some advisors find it useful to maintain memberships in more than one. Law schools hold associate membership in most of the regional associations since their applicants come from all parts of the country.

In 1984, the leaders of the six APLAs established the Pre-Law Advisor National Council (PLANC) to serve as a coordinating body among the regional associations. Two representatives from each of the regional associations sit on PLANC, the president and another designated representative, along with a chair that rotates among the six regions. PLANC publishes a newsletter, *PLANC Points*, which is sent to every member of each association. In 1992, PLANC sponsored the first ever national pre-law advisor conference which proved so successful that it was agreed to hold further national meetings every four years. Subsequent national gatherings took place in Orlando, FL in 1996, San Diego in 2000, and the most recent in Boston in June 2004. Some of the regional associations also

have at times combined in holding joint meetings; SAPLA and SWAPLA have done so at least twice in New Orleans, while NAPLA and SAPLA met in Williamsburg, VA in June of 200

## **II. SETTING UP A PRE-LAW ADVISING OFFICE**

**by Carol L. Wright**

Pre-law advisors work in a variety of advising settings. Some are faculty members performing this service in addition to teaching and research responsibilities. Others are career advisors who are also responsible for helping advisees find employment or admission to other professional or graduate schools. Some advise a dozen or so students each year while others advise hundreds. Some have clerical support while others have none. Some have no budget and must request funding for each and every expenditure while others have a budget at their disposal that enables them to allocate resources as needed.

Whatever our differences, however, we share a commitment and desire to serve effectively and efficiently our advisees who are applying to law school. This requires both information and the means to disseminate it.

### **I. Making Contact**

Once pre-law advising becomes part of your responsibilities, it will be important for you to notify the Law School Admission Council (LSAC) of your appointment in writing on your school's letterhead. LSAC is the non-profit organization responsible for developing and administering the Law School Admission Test (LSAT), the Law School Data Assembly Service (LSDAS), and many other useful services. Its address is: Law School Admission Council, Box 2000, Newtown, PA 18940-0998. Once you make that contact, you will be added to the list of pre-law advisors, and will start receiving professional mailings. If you are the primary or only pre-law advisor on your campus, you will be designated the Sole or Coordinating Pre-Law Advisor. If you are not taking that position, find out who the Coordinating Pre-Law Advisor is on your campus to arrange the sharing of information.

In addition to contacting the LSAC, it is worth finding out about your regional association of pre-law advisors. There are six such organizations: the Northeast Association of Pre-Law Advisors (NAPLA), the Southern Association of Pre-Law Advisors (SAPLA), the Midwestern Association of Pre-Law Advisors (MAPLA), the Southwestern Association of Pre-Law Advisors (SWAPLA), the Western Association of Pre-Law Advisors (WAPLA), and the Pacific Coast Association of Pre-Law Advisors (PCAPLA). These organizations each have newsletters and hold annual conferences that will help put you in touch with other pre-law advisors in your region and with law school admissions personnel. They will also

help keep you up to date on the latest developments in pre-law advising. Each member of a regional APLA also receives newsletters from the Pre-Law Advisors National Council (PLANC), a coordinating council of the leadership of the regional associations. PLANC organizes quadrennial national pre-law advising conferences. More information on this will be available from your APLA. As a new advisor, or an experienced veteran, you will find all of these contacts to be extremely helpful.

## **II. Reaching the Applicant**

On many campuses, the first challenge is to identify those who can benefit from pre-law advising. Many potential law students are self-starters who go out of their way to find advising for law school early in the decision-making process. Some of them might find your office without too much trouble, but some might seek help from other sources that are less equipped to give them complete information and advice. Other potential applicants might decide on pursuing law school later in the process, or might be more reticent about seeking advising. These candidates might wait so long to seek advising that they have lost opportunities that would have made them more attractive applicants. Thus, it is a good idea to make your presence known to attract those who can benefit from your services, and to help advisees get off on the right foot.

Word of mouth is often not enough to let people know you are there. Still, you need not engage in a large marketing campaign, either. You might consider preparing a simple pamphlet describing your services and having it available for first-year orientation, displayed in offices candidates are apt to frequent, or distributed through student groups. Those who teach law-related courses might also be willing to make announcements regarding your services and activities. In addition, public service announcements are easy to arrange with local or campus radio stations at no charge to you. If you have a small budget, you might also take out an advertisement in the classified section of your student newspaper: ads there are usually modest in cost, and are at least as apt to be read as a more expensive display ad. Many schools also have an e-mail Listserv or chat groups available to those who share specific interests. You might consider contributing to such services as another means of letting people know you are available to them. Lastly, ask the LSAC to print your access information on your pre-law senior and alumni LSDAS Master Law School Reports.

### **III. Record Keeping**

#### **A. Records of your Advisees**

Once you attract potential applicants, it becomes important to develop some means of keeping a record on those you advise. This has many practical purposes. You are likely to see each advisee more than once. By keeping some sort of written record on advisees, you will eliminate the need to ask preliminary questions (e.g., GPA, major, LSAT score, etc.) each time you see them. Not only is it convenient to refresh your memory, but notes taken can help substantiate your contention that you really did tell advisees to apply to another “safety school” in the event they return later to angrily complain that all of the applications filed were unsuccessful!

Additional benefits of good records are that, by reviewing files, you will be able to discern patterns for admissions of applicants from your institution. If you include applicants’ permanent addresses in the file, you will be able to contact them while they are in law school for their insights on their chosen school, or to have those located in your community come to campus to talk to potential applicants about the law school experience. Perhaps the most important reason to keep files on advisees, though, is so that you will be able to make reports to your funding sources to justify such expenditures as attending APLA conferences. In our experience, funding sources are often interested in many things beyond the number of advisees or advising visits. It is useful to keep track of advisees’ majors, ethnic designations, etc., to be able to give a statistical breakdown of your advising population to the bean-counters.

For those in a career center or other advising office, there might already be a filing system in place for applicants. Others might not have any established structure for record keeping. In either case, there is an excellent new resource available to pre-law advisors. With the assistance of a grant from NAPLA, former NAPLA president Heather Struck has developed a computer-based record-keeping system. It is offered at no cost to pre-law advisors, and available for download (along with ample instructions for use of the program) on the NAPLA website at <http://www.napla.org/downloads.htm>. This program will allow you to maintain and use data on your advisees (including sorting on such categories as major, age, or racial-ethnic category) to assist you in making reports to your funding sources. You may also print a copy of each of these records, attaching a photo of the advisee to each to help you keep them straight. More importantly, this program allows you to make

good use of data you receive from the LSAC about the results of your advisees' applications.

## **B. Law School Action Reports**

Each year, the LSAC will send Law School Action Reports to those advisors who complete the required confidentiality statement. These reports give a multitude of data, including specific information on each graduate of your undergraduate school who has applied to or matriculated in law school during the preceding academic year, provided those applicants have permitted their LSAT scores to be reported to you. Data is sorted both by the candidates' names and by the law schools to which they have applied (the latter of which resembles the model on the following page). Unfortunately, not all law schools participate in reporting these data to pre-law advisors, but the vast majority of them does. Using the program downloaded from the NAPLA Web site, you can input data from your Law School Action Report to create charts anonymously showing the intersection of GPA and LSAT score for each applicant and each law school to which your advisees have applied, indicating the outcome of each application.

Associate Dean J. Joseph Burns of Boston College, a former NAPLA president, created the design for these charts, and has generously shared it with us. They clearly depict whether being a member of a minority group or a state resident affects the applicant's likelihood of success. If you have a large number of applicants from your undergraduate institution, these charts can help you note trends in admission that can assist applicants in determining their likelihood of admission to various schools based on their numerical qualifications. In addition, it can help you know how much comparative weight the LSAT and GPA are given in the admissions process. For example, in the sample graphs we can see clearly that Local Law School is interested in LSAT scores of 158 or above and is less concerned about the GPA, while Natural Law School is more interested in GPAs above 3.8, regardless of LSAT scores. (In addition to the two sample graphs, a blank grid appears at the end of this chapter.)

LAW SCHOOL ADMISSION COUNCIL  
1998-99 PRE-LAW ADVISOR  
ACTION REPORTS

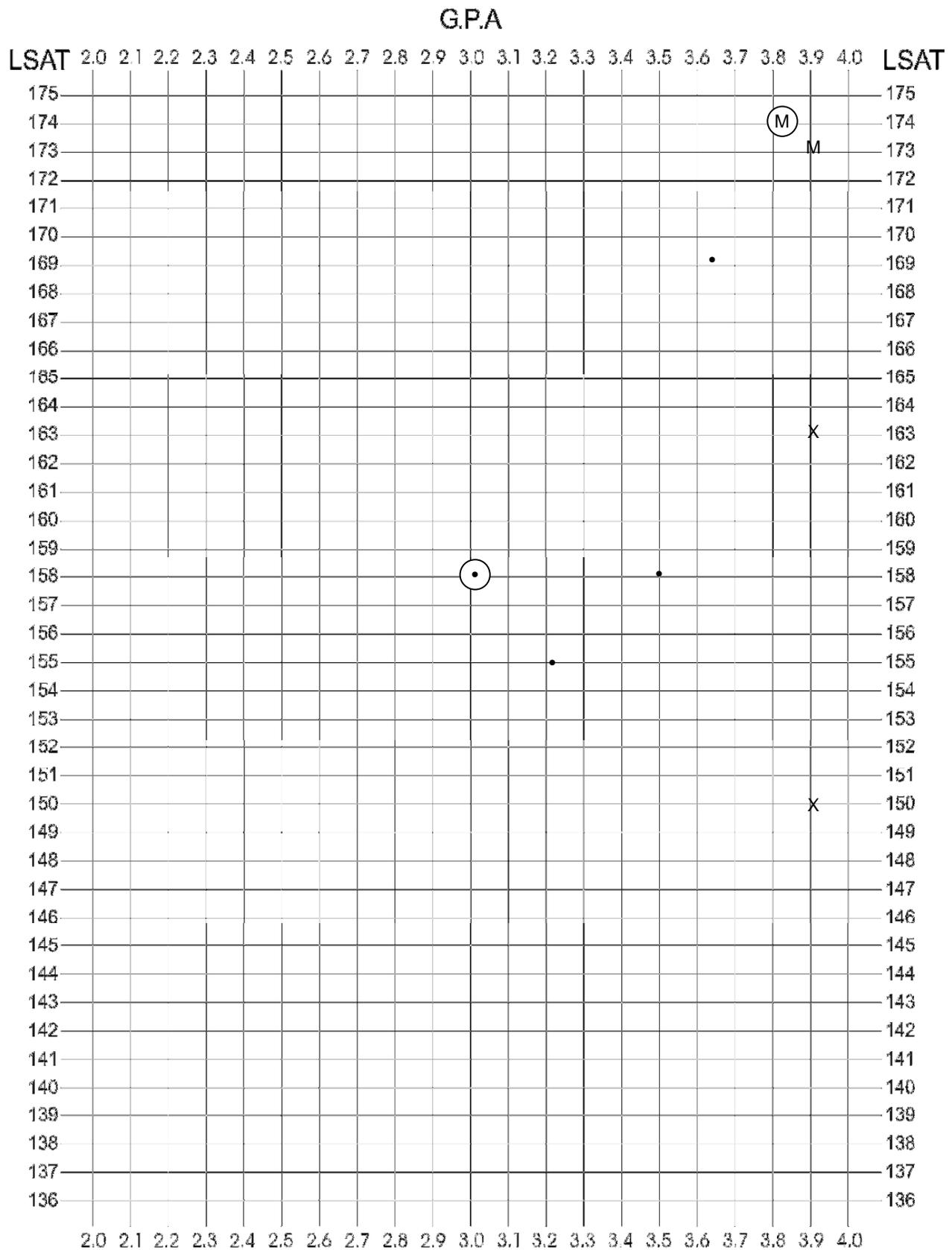
DATE OF REPORT  
12- JAN-00

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\* LAW SCHOOL REPORT \*  
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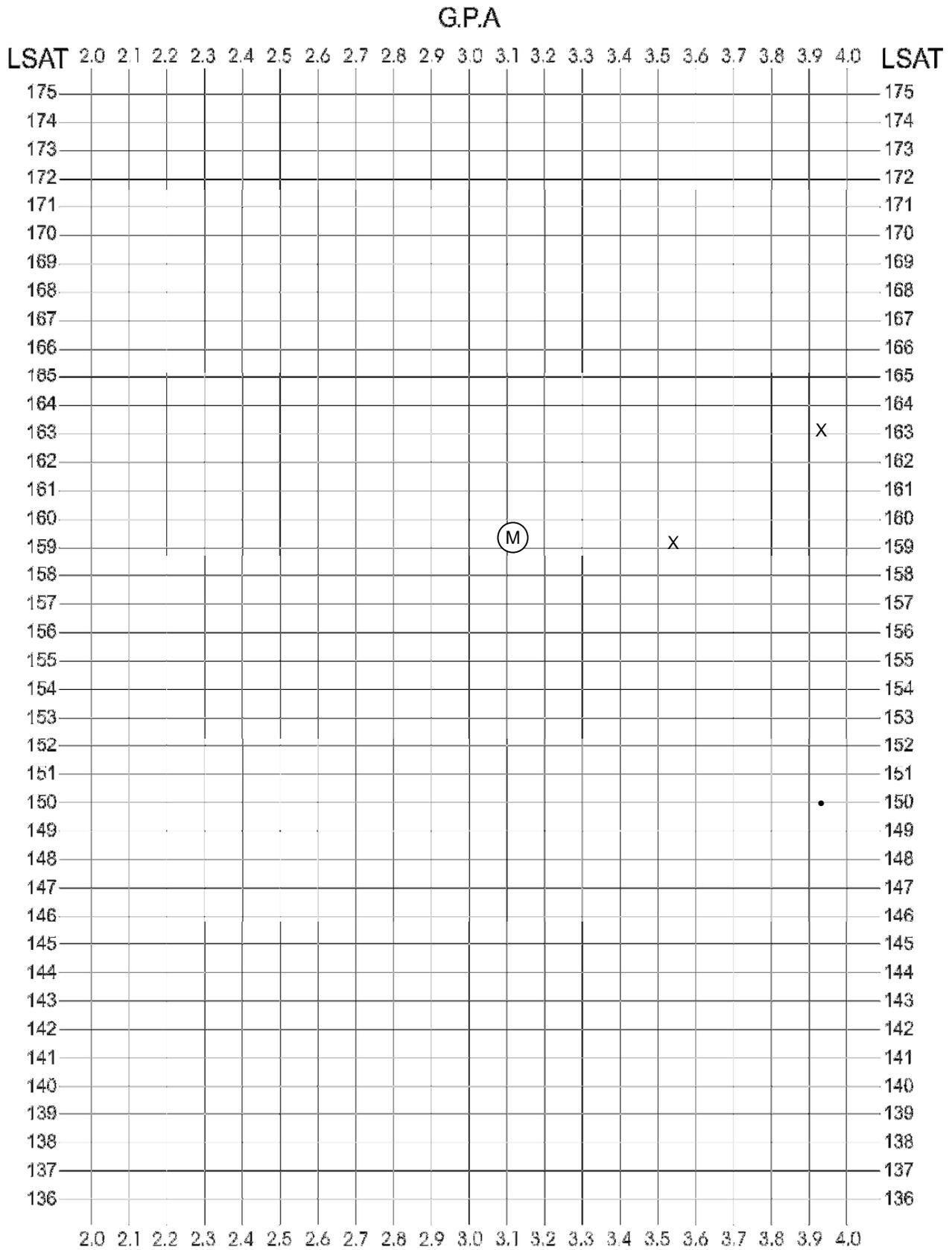
0123 Podunk University

APPLICANTS FROM 0123 PODUNK UNIVERSITY APPLYING TO

| CODE | LAW SCHOOL NAME  | APPLICANT NAME    | ETH | RES | LSAT | UGPA | MAJOR                   | DEG YR | DECISION |
|------|------------------|-------------------|-----|-----|------|------|-------------------------|--------|----------|
| 0321 | Acme Law         | Franklin Benjamin | 3   | PA  | 163  | 3.92 | Electrical Engineering  | 99     | Matric   |
|      |                  | Ross Betsy        | 3   | PA  | 159  | 3.51 | Art/Design              | 98     | Admit    |
|      |                  | Attucks Crispus   | 2   | MA  | 159  | 3.12 | History                 | 98     | Admit    |
|      |                  | Pitcher Molly     | 3   | PA  | 157  | 3.44 | Personnel Management    | 89     | Admit    |
|      |                  | Arnold Benedict   | 3   | NY  | 155  | 3.27 | Pre-law                 | 98     | Other    |
|      |                  | Gage Thomas       | 3   | MA  | 138  | 2.16 | Military Science        | 99     | Other    |
| 0132 | Black Letter Law | Rolfe Pocahontas  | 1   | VA  | 174  | 3.83 | Family Relations        | 87     | Admit    |
|      |                  | Smith John        | 3   | VA  | 169  | 3.69 | International Relations | 99     | Matric   |
|      |                  | Franklin Benjamin | 3   | PA  | 163  | 3.92 | Electrical Engineering  | 99     | Admit    |
|      |                  | Ross Betsy        | 3   | PA  | 159  | 3.51 | Art/Design              | 98     | Matric   |
|      |                  | Pitcher Molly     | 3   | PA  | 157  | 3.44 | Personnel Management    | 89     | Admit    |
| 0231 | L. A. Law        | Franklin Benjamin | 3   | PA  | 163  | 3.92 | Electrical Engineering  | 99     | Admit    |
|      |                  | Ross Betsy        | 3   | PA  | 159  | 3.51 | Art/Design              | 98     | Admit    |
|      |                  | Attucks Crispus   | 2   | MA  | 159  | 3.12 | History                 | 98     | Matric   |
|      |                  | Pitcher Molly     | 3   | PA  | 157  | 3.44 | Personnel Management    | 89     | Other    |
|      |                  | Davis Isaac       | 3   | MA  | 150  | 3.92 | Agriculture             | 99     | Other    |
|      |                  | Gage Thomas       | 3   | MA  | 138  | 2.16 | Military Science        | 99     | Other    |
| 0213 | Murphy's Law     | Rolfe Pocahontas  | 1   | VA  | 174  | 3.83 | Family Relations        | 87     | Admit    |
|      |                  | Adams Sam         | 3   | MA  | 173  | 3.91 | Communications          | 99     | Admit    |
|      |                  | Smith John        | 3   | VA  | 169  | 3.69 | International Relations | 99     | Admit    |
|      |                  | Pitcher Molly     | 3   | PA  | 157  | 3.44 | Personnel Management    | 89     | Admit    |
|      |                  | Washington George | 3   | VA  | 155  | 3.17 | Business Mgmt/Adm       | 92     | Matric   |
|      |                  | Gage Thomas       | 3   | MA  | 138  | 2.16 | Military Science        | 99     | Other    |
| 0312 | Podunk U. Law    | Rolfe Pocahontas  | 1   | VA  | 174  | 3.83 | Family Relations        | 87     | Matric   |
|      |                  | Adams Sam         | 3   | MA  | 173  | 3.91 | Communications          | 99     | Matric   |
|      |                  | Smith John        | 3   | VA  | 169  | 3.69 | International Relations | 99     | Other    |
|      |                  | Franklin Benjamin | 3   | PA  | 163  | 3.92 | Electrical Engineering  | 99     | Admit    |
|      |                  | Ross Betsy        | 3   | PA  | 159  | 3.51 | Art/Design              | 98     | Other    |
|      |                  | Attucks Crispus   | 2   | MA  | 159  | 3.12 | History                 | 98     | Other    |
|      |                  | Arnold Benedict   | 3   | NY  | 155  | 3.27 | Pre-law                 | 98     | Other    |
|      |                  | Davis Isaac       | 3   | MA  | 150  | 3.92 | Agriculture             | 99     | Admit    |
|      |                  | Gage Thomas       | 3   | MA  | 138  | 2.16 | Military Science        | 99     | Other    |



X – Accepted M=Matriculated •= Not Accepted W=Withdrew Application  
 Circle = Member of underrepresented group Box=State Resident



X – Accepted M=Matriculated •= Not Accepted W=Withdraw Application  
Circle = Member of underrepresented group Box=State Resident

When making these data available to advisees, it is prudent to include a caveat such as the following:

*These charts have several limitations that should be considered when using this information.*

- 1. The applicants listed reflect only those who gave permission for their LSAT scores to be reported to the pre-law advisor. This therefore does not reflect the experience of all applicants.*
- 2. Not all schools are represented. Some schools choose not to subscribe to the reporting service that makes these charts possible.*
- 3. The applicants shown are from a previous application year. Current applicants should be aware that law schools might now have somewhat different criteria for selection of students than they did when acting on the applications represented here.*
- 4. Some applicants may have presented special circumstances of which we are unaware. Acceptances that appear to be out of a school's normal acceptance range should be assumed to have gone to someone with special circumstances, even if it is not circled.*
- 5. Some schools may have so few applicants recorded on their charts that any projections for current applicants would be speculative, at best.*

*Bearing in mind these limitations, these can be a useful tool in helping applicants discern their likelihood of admission to many schools.*

#### **IV. Handling the Routine Questions**

Many pre-law advising questions are routine, such as how to prepare for law school, LSAT and LSDAS information, the application process, and the basics on financial aid. Unless you have very few pre-law candidates or unlimited time to deal with each advisee individually, you will probably find that some means of answering routine questions without individual appointments will be useful. There are many models for this among NAPLA members. Some advisors require each candidate to attend a **general informational meeting** before being permitted to schedule an appointment with an advisor. Many have developed **compendium guides** to give candidates answers to the usual questions. Some have developed **video presentations** which students are required to view. Still others use **one-**

**sheet handouts** pertaining to the various questions. There are advantages and disadvantages to each of these methods. Small group meetings will be less costly than other means, and allow the advisor to give the most up-to-date information available. Still, they require that advisors schedule meetings frequently and at times that are convenient for most advisees—usually in the evening. Furthermore, unless the advisees also have some written materials to take with them from the meeting, they are apt to forget some, if not all, they have learned. Compendium guides and handouts allow for frequent updating and are moderate in cost, but many advisees do not read them carefully. Advisors might spend additional time going over these questions again. Videotapes and DVDs are less frequently updated but, depending on the audio-visual facilities available to you, might be quite affordable. Advisees generally like videos better than written materials, but loaning them out and collecting them again can be a headache. Clearly, there is no perfect system. Even with their flaws, using one or more of the above techniques is often worth the effort.

## V. Beyond the Basics

Beyond the nuts and bolts of the application process, applicants have many other questions, including: whether to choose the legal profession, information about specific law schools or programs, guidance as to where they will be accepted, help with personal statements, and help in deciding which school to attend. There are many resources available to *help you help them* answer these questions. Some of these resources are available free of charge to advisors. For those that are not, your library might be willing to acquire them for its collection if you request them. Some pre-law offices have their own reading area for people to use, but the library's reserve reading room has proven to be the best depository for pre-law advising materials for many advisors. These are often open to applicants during more hours than the advising office would be, and the worry about loaning or losing materials is on other shoulders.

### A. *Which Resources Are Available without a Big Budget?*

The following are resources available for little or no cost and are quite valuable, if not indispensable, to advisors.

#### 1. Pre-Law Advisors' Listserv

This service, provided by Nim Batchelor of Elon College, is a means of staying in touch with other pre-law advisors, and finding answers to important pre-law questions. You can subscribe by e-mailing [elon-listserver@elon.edu](mailto:elon-listserver@elon.edu) with the subject "subscribe pre-law-l" and your e-mail address.

## 2. Free Publications from the LSAC

***LSAT and LSDAS Information and Registration Book***—LSAC. This book, which is available in quantity without cost to pre-law advisors, includes information about the services offered by the LSAC, their fees, deadlines, application forms, law school addresses, and a sample LSAT from October 1996. If you are not currently receiving these, check with your campus's Coordinating Pre-Law Advisor to get some. If you are to be the Sole or Coordinating Advisor, the LSAC will automatically send updates of the information book to you (usually in early March). If you run out, they will be happy to send more to you upon request.

***The ABA-LSAC Official Guide to ABA-Approved Law Schools***—LSAC and the American Bar Association. One is sent free annually to each coordinating pre-law advisor, and to supporting pre-law advisors, upon request. This publication gives four pages of information on each ABA-Approved law school. The first two pages contain data reported to the ABA by the law school. The third and fourth pages contain narratives written by each school's admissions personnel, and often include charts showing the admissions record for the previous year by GPA/LSAT score. When evaluating the charts, bear in mind that applicants from traditionally under-represented groups or with special circumstances might be admitted when most others with their GPA and LSAT score would not. This publication is a useful first step to help applicants determine which schools are apt to meet their program, setting, and admissions criteria.

***LSACD and LSACD on the Web***—LSAC. These programs include information from the *Official Guide* in an interactive format for Windows users. Searches can be made of law schools based on a number of criteria, including GPA, LSAT, geographic region, cost, and programs of interest to applicants. Application forms for all ABA-accredited law schools are also included, permitting applicants to input general information once and have it included in all applications. Each applicant needs his or her own release code to use the CD-ROM. Pre-law advisors, however, have free access to the *LSACD on the Web* and can use it for searches without cost to the advisee.

**LSAT Score Reports—LSAC.** Applicants are asked on the LSAT Registration form whether or not they authorize the release of the LSAT score(s) to the pre-law advisor at their undergraduate institution. Summary reports are sent to sole or coordinating pre-law advisors after each LSAT administration with the scores of those applicants for the current LSAT and their prior LSAT record, if any. It is useful to transfer this information to your file on each of the applicants since applicant reporting of LSAT scores might be less reliable.

**Pre-Law Advisor Action Reports—LSAC.** These reports are provided by the LSAC each year to Sole or Coordinating Pre-Law Advisors who have signed and returned the appropriate confidentiality agreement. They give the applicants' names, GPAs as reported by LSDAS, average LSAT score, ethnic category, schools to which they have applied, and what action was taken on those applications. These reports include information only on those advisees who are included in the LSAT Score Reports. Use of these reports is described above.

**Revealed LSATs—LSAC.** The LSAC will send you one free copy of each PrepTest along with a limited permission to copy them for your students, provided it is for non-profit use and you agree not to charge the students more for them than the cost of copying them. Requests should be made directly to the LSAC, Box 2000, Newtown, PA 18940.

### 3. Useful Links on the Web:

**American Bar Association** (<http://www.abanet.org>)

**Council on Legal Educational Opportunity** (<http://www.cleoscholars.com>)

**Free Application for Federal Student Aid (FAFSA)** is available online from <http://www.fafsa.ed.gov> (N.B. that many Web sites use the acronym FAFSA, but charge a fee to applicants. There is no fee for using the official government site.)

**Law School Admission Council** (<http://www.lsac.org>).

**Law School catalogs** can be requested from each school by postcard, phone call, or online. Pre-law advisors might wish to keep copies on hand for last-minute use by candidates. Links to law school Web sites are available on the LSAC Web page at <http://www.lsac.org>

**Mexican American Legal Defense and Educational Fund** (<http://www.maldef.org>)

**National Association of Public Interest Law** (<http://www.napil.org>)

**Puerto Rican Legal Defense and Education Fund** (<http://www.prldf.org>)

#### 4. Other Free Publications for NAPLA Members:

**NAPLA/SAPLA Book of Law School Lists**—This publication is free to NAPLA members attending the conference. Compiled annually, it gives advisors and applicants listings of schools by various categories, including law school programs and policies.

**NAPLA Locator and Boston College Range Finder**—These are handy guides indicating the 25% and 75% ranges for the GPA and LSAT of most law schools. They are updated annually and distributed through *NAPLA Notes*, and are available online at <http://www.bc.edu/offices/careers/gradschool/law/lawlocator/>

#### 5. Resources You Can Collect or Create on Your Own:

**Sample Personal Statements**—Frequently, samples are available at NAPLA conferences with feedback from law school admissions personnel. In addition, you can ask some of your advisees with exemplary personal statements to let you keep a copy in a sample file for future applicants.

**Charts Made from Law School Action Reports**—If you have a large applicant pool, you can use your Action Reports to create charts described earlier that will give your advisees a graphic view of the admissions record of previous applicants from your school.

#### *B. Other Resources Worth Having if You Have a Sufficient Budget:*

**Places Rated Almanac.** This publication helps advisees learn about the cities in which the various law schools are situated.

**National Association for Law Placement.** Many publications from this organization are useful. They can be contacted at 1666 Connecticut Avenue, NW, Suite 325, Washington, DC, 10009-1039, 202-667-1666 or online at <http://www.nalp.org> Pre-law advisors may purchase these publications at member rates.

**MAPLA Profiles.** This publication is compiled by our sister organization in the Midwest and contains law school information in chart form by law school. They are available for bulk purchase as well as by single copy. Information about this

publication can be found on the MAPLA website at: <http://www.mapla.org>

### **C. Books for Applying to and Going to Law School**

*Get Into Law School: A Strategic Approach*, Kaplan staff.

*Guide to the Law Schools*, Barron's Educational Series, Inc.

*Triple Prep Plus*, LSAC.

Deaver, Jeff, *The Complete Law School Companion*, John Wiley and Sons.

Fischl, Richard Michael and Paul, Jeremy R., *Getting to Maybe: How to Excel on Law School Exams*, Carolina Academic Press.

Frank, Steven J., *Learning the Law: How To Succeed in Law School and Beyond*, Replica Books.

Goodrich, Chris, *Anarchy and Elegance: Confessions of a Journalist at Yale Law School*, Little, Brown and Co.

Horwitz, Jeremy B., *Law School Insider: The Comprehensive 21st Century Guide to Success in Admissions, Classes, Law Review, Bar Exams and Job Searches, for Prospective Students and Their Loved Ones*, The Lion Group LLC.

Kahlenberg, Richard D. and Coles, Robert. *Broken Contract, A Memoir of Harvard Law School*, Hill and Wang.

Miller, Robert H., *Law School Confidential*, Griffin Trade Paperback.

Montauk, Richard J., *How to Get into the Top Law Schools*, Prentice-Hall.

Munneke, Gary A., *How to Succeed in Law School*, Barron's Educational Series, Inc.

Owens, Eric, *Complete Book of Law Schools*, Random House Information Group.

Roth, George, *Slaying the Law School Dragon*, John Wiley and Sons, Inc.

Wright, Carol L., *The Ultimate Guide to Law School Admission*, Marriwell Publishing.

### **D. Books about the Legal Profession**

Abel, Richard L., *American Lawyers*, Oxford University Press.

Abrams, Lisa L., *The Official Guide to Legal Specialties*, Harcourt Brace.

Arron, Deborah L., *What Can You Do with a Law Degree?*, Niche Press.

Carey, Christen Civileto, *Full Disclosure: The New Lawyer's Must-Read Career Guide*, ALM Publishing.

Delsohn, Gary, *The Prosecutors: A Year in the Life of a District Attorney's Office*, E. P. Dutton.

Dershowitz, Alan M., *Letters to a Young Lawyer*, Basic Books.

- Glendon, Mary Ann, *A Nation Under Lawyers*, Farrar, Straus and Giroux.
- Munneke, Gary A. and Henslee, William D., *Nonlegal Careers for Lawyers*, ABA Publishing.
- Rhode, Deborah L., *In the Interests of Justice: Reforming the Legal Profession*, Oxford University Press.
- Strauss, Deborah M., *Behind the Bench: The Guide to Judicial Clerkships*, Barbri Group.
- Walton, Kimm Alayne, *What Law School Doesn't Teach You: But You Really Need to Know*, Harcourt Brace; and *America's Greatest Places to Work with a Law Degree & How to Make the Most of Any Job, No Matter Where It Is*, West Information Pub Group.
- Zitrin, Richard A. and Langford, Carol M., *The Moral Compass of the American Lawyer: Truth, Justice, Power and Greed*, Ballantine Books.

## **VI. Law School Rankings**

Because applicants often believe that it is possible to quantify the quality of the various law schools, they are drawn to such publications as the annual *U.S. News & World Report* ranking of law schools. Advisors should be aware of these rankings, if only to be able to point out to advisees their flaws. There are so many factors that should be considered when choosing a law school that any ranking designed to sell magazines should not be uppermost in the applicant's mind.

## **VII. Other Services You Might Provide**

### ***A. LSAT Course***

It is desirable to offer advisees an alternative to the high-cost commercial LSAT preparation courses whenever possible. Not all pre-law advisors are qualified to personally offer LSAT preparation advice, but many can find faculty members on their campuses who are able to assist students in their LSAT preparation. A modest charge for materials or faculty time is appropriate.

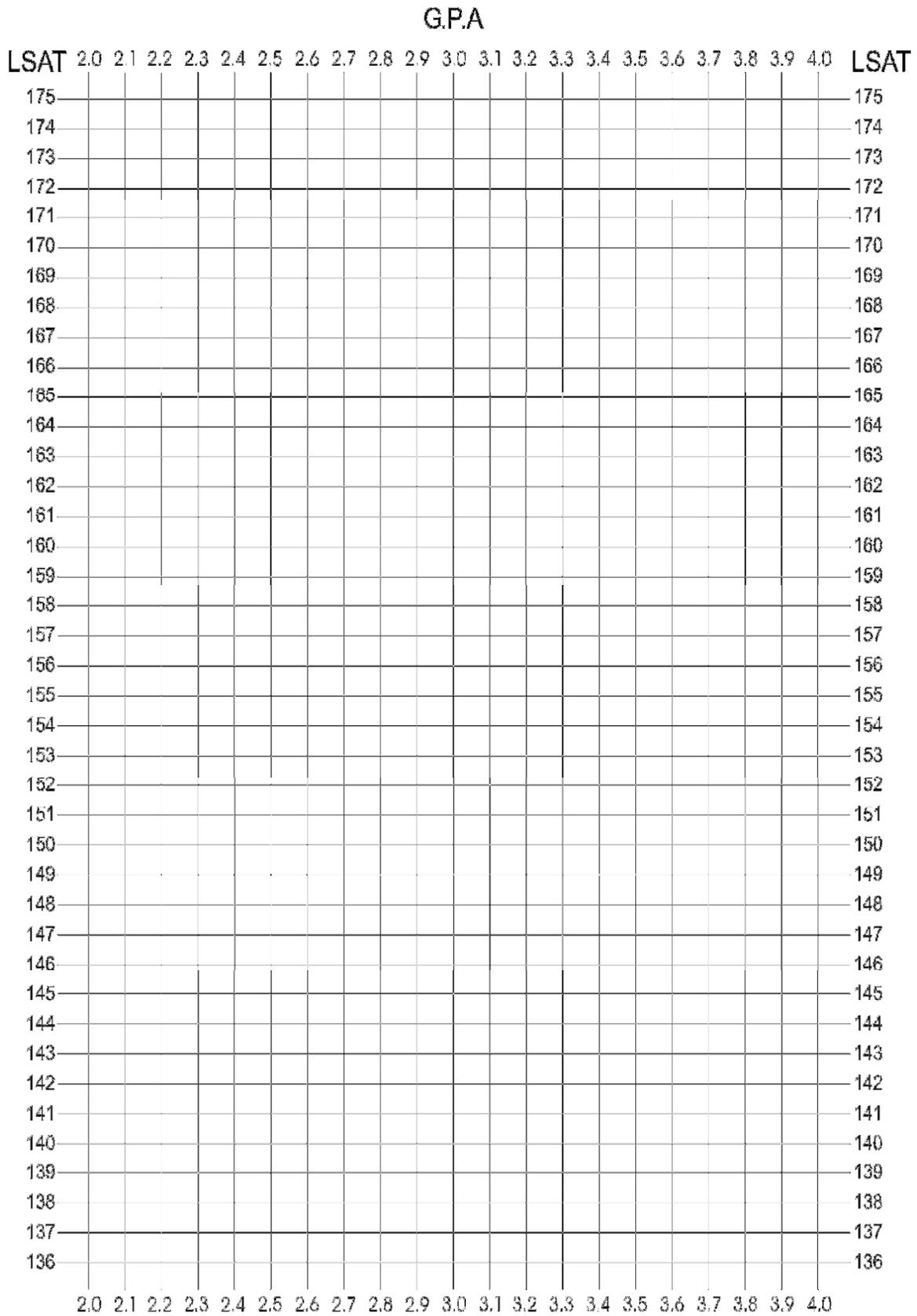
### ***B. Law Fairs/Forum***

Meeting with law school representatives gives to advisees an opportunity to learn more about schools they cannot easily visit. Each year, the LSAC produces a

Recruitment Calendar informing law school representatives and pre-law advisors about law fairs that are scheduled during the year. The Recruitment Calendar is sent to pre-law advisors, and is available on the Internet. A copy is sent to LSDAS subscribers as well. If you are able to organize and host a law fair at your institution, you can get the word out through the LSAC, as well as by contacting the law schools directly. If you are unable to manage that task at your institution, you can consult the Recruitment Calendar to find a law fair near you to recommend to your advisees. You might also encourage your candidates to attend one of the LSAC Law Forums held each year in several major cities throughout the country and advertised in the *LSAT & LSDAS Registration and Information Book*, among other places.

### **VIII. Student-Run Pre-Law Clubs**

As many pre-law advisors have learned, any student-run organization is only as good as the students who run it. Still, having a pre-law club on your campus is something to be encouraged by pre-law advisors. Often, potential applicants unwilling to come to an advisor will attend a club meeting. Therefore, the pre-law club is an excellent way to disseminate information to them. In addition, most schools give budgets to student organizations. By working in cooperation with them, you might be able to make purchases, bring in speakers, or take trips to law schools, law fairs, or law forums that you otherwise could not afford.



X – Accepted M=Matriculated •= Not Accepted W=Withdrew Application  
Circle = Member of underrepresented group Box=State Resident

# III. THE APPLICATION PROCESS

## by Charles Longley & Carol L. Wright

(Revised for this edition by Carol L. Wright)

### PREPARATION FOR LAW SCHOOL

Ideally, pre-law advising begins early in a candidate's career. Helping potential law school applicants prepare for law school is at least as important as helping them get into a law school. The American Bar Association Section of Legal Education and Admissions to the Bar has helped us in that task by formulating a statement on Pre-Law Preparation. That statement includes information about appropriate skill development and course preparation to assist the applicant to be a successful law student and lawyer. It is reprinted in *The ABA-LSAC Official Guide to ABA-Approved Law Schools*, and is listed on the ABA Web site at: <http://www.abanet.org/legaled/>

In addition to curricular considerations, the wise applicant will take the time to explore and examine both the profession and the law school experience. There has been much written about the high level of dissatisfaction lawyers have with the practice of law. The cost and rigor of law school are great and, while many lawyers leave the profession, many more continue to labor in a field they find tedious, unpleasant, or unfulfilling. It is important to encourage potential applicants to evaluate their choice, to make certain that they know where they are going, and that it is the right career for them. Some potential applicants will not present credentials that can reasonably be expected to be successful. Responsible counseling includes not simply where, but whether to apply.

### THE YEAR PRIOR TO APPLICATION

Once candidates have made the decision to apply to law school, many pre-law advisors find that helping a pre-law candidate determine to which schools to apply is a—if not *the*—most time-consuming task. The process begins at least *eighteen to twenty-four months prior to desired matriculation*. For undergraduates, this is often during the junior year. While many advisees may have a general set of schools in mind, this list is often based on anecdotal information, suggestions from friends or family, or some recent listing of the nation's so-called best law schools. Thus, the immediate task of the pre-law advisor is to guide the applicants toward the best possible fit between their interests, credentials, and the

range of feasible alternatives. (A sample application checklist can be found at the end of this chapter.)

## **I. Defining a Pool**

At this point, advisees should develop a large list of potential schools to which to apply. The winnowing process will take place later. Using the many guides and other resources available, they should take into consideration the following factors:

### ***A. Numerical Indicators***

There are two major variables generally acknowledged to be the most significant: the undergraduate grade point average (GPA) and the applicant's score(s) on the LSAT. Each of these numbers should be compared to the various schools' medians, the grids in *The Official Guide to ABA-Approved Law Schools*, the *NAPLA Locator* and the *Boston College Range Finder*, and the charts derived from your Law School Action Reports, if available, in order to get a sense of where an advisee's numbers will be competitive. Often, a higher than median GPA can help to counterbalance a lower than median LSAT score, and vice versa. When comparing the numbers, though, it is important that candidates understand what their own numbers are.

GPA—Not all GPAs are created equal. Advisees who have attended more than one undergraduate school should be aware that *all* of their undergraduate grades will be blended together in one reported GPA, regardless of the policy at their degree-granting institution. In addition, those who performed poorly in an undergraduate program, only to return to school several years later with a clean slate, will learn to their dismay that, if those earlier grades appear on their school's transcript, LSDAS will include them in the undergraduate GPA. Any indication of withdrawal from a course that indicates failure will count as an "F" in their GPA for law school purposes. In addition, law schools might analyze an applicant's GPA in the context of subjective criteria, including the trend in the grades, the applicant's major, or even the perceived rigor of the courses taken. For many applicants who apply early in their senior year, there will only be three academic years on the transcript for the law schools to review. While the GPA is very important to law schools, a lower-than-median GPA will not necessarily keep an applicant out of a particular law school, nor does a spectacular GPA ensure admission.

LSAT—The LSAC tells us that performance on the LSAT has value in predicting an applicant's performance in the first year of law school. Although the LSAC acknowledges

that there are limitations here (being less predictive for women and minority candidates), law schools rely heavily on this supposedly objective criterion when making admission decisions. Candidates who take the LSAT more than once will have each score and the average of the LSAT scores reported. Some law schools rely on the highest score, some on the most recent score, and many on the average score. While the LSAT is not an absolute indicator of admission, it is weighed very heavily. Perhaps the best message to leave with advisees is that, while LSAT performance has nothing to do with their intelligence or their intrinsic value as a human being, the test has a lot to do with their prospect of admission to a particular law school.

Taken together, the LSAT and GPA enable candidates to approximate their competitiveness at any one school. As a pre-law advisor, however, you are the one person who can best help applicants to interpret this information.

### ***B. The Academic Program***

While the first year of legal education is generally uniform, in the latter two years, there is a wide variety of courses from which to choose. Some schools have tracks or certificate programs in one or more areas of legal specialty. Many have dual-degree programs allowing students to acquire both a graduate degree and a law degree in less time than it would take to acquire them separately. Applicants will also want to be aware of clinical programs, midyear entry options, law journals, and study-abroad programs. A helpful reference for these matters is the annual *NAPLA/SAPLA Book of Law School Lists*.

### ***C. The Law School Community***

The *Official Guide* and law school catalogs contain information about the size and composition of the student body and faculty at the law schools, including percentage of full-time versus part-time students and faculty, and percentage of members of traditionally under-represented groups. Such information gives a starting point to advisees, but there is much more to consider. Each school will have its own culture and ambiance that will be a better fit for some applicants than for others. To learn about this, candidates could start by talking to alumni of their school who are attending or have attended law schools. Law school recruiters at the Law Forums or at local law fairs will answer questions posed by your advisees. Still, there is no substitute for visiting a law school while it is in session. Only in this way can a candidate truly gauge how good a fit a particular school could be. Candidates do better at schools where they feel more comfortable, so this aspect of school choice should not be ignored.

Applicants will also want to consider the location of a school (both by geographic region and size of community), whether a school is public or private, whether it offers on-campus housing, and transportation options. The *Places Rated Almanac* is a good source for such information.

#### ***D. Placement***

While it might seem premature to worry about finding employment, candidates should not be reluctant to ask for recent information concerning placement. Each school compiles its own records, and these data are compiled nationally each year by the National Association for Law Placement (NALP), and reported in the *Official Guide to ABA-Approved Law Schools*. Questions to explore include not simply how many grads get jobs, but the types of work being done, whether it is full or part time, the locations where graduates practice, and starting salaries. Predicting placement three or four years down the road is problematic at best, but this will at least give applicants some idea of how a school is perceived by those hiring. Candidates should also pay attention to how much help a school's career placement office will offer, especially for those who do not want to practice law, or do not want to find work in the same geographic region in which their law school is located.

## **II. Taking the LSAT**

The LSAT is offered four times each year: February, June, late September or early October, and December. The June exam is given on a Monday afternoon, while the others are administered on Saturday mornings (with options available for Saturday Sabbath observers). While law schools hope that candidates will take the LSAT by the December administration for admission the following fall, it is better for the applicant to take it much earlier. Taking the LSAT in June of the year before desired matriculation allows an applicant who is still in school time for preparation without the distractions of classes. In addition, applicants will receive their score during the summer, allowing them to narrow their list of schools based on numerical criteria that much earlier.

For some applicants, however, it is impossible to take the LSAT in June. Some will have employment demands, be taking summer classes that interfere, or will just be returning from study abroad. For these candidates, one of the other administrations will be preferable. Taking it in September or October will allow candidates to receive their scores in late October. December is acceptable, but at many institutions will come close to final exams. Since the GPA is also an important factor, it might be unwise to try to do both at the same

time. The February exam is too late for most candidates who hope to go to law school the following fall who apply to law schools with rolling admission. By the time the applicant's file is complete, most seats in the incoming class will already be filled.

## **THE APPLICATION YEAR**

The twelve months prior to desired matriculation are very busy ones. There are many forms to be filed, people to contact, and deadlines to which the candidate must attend. Some may find the details and the amount of paperwork daunting, but as future lawyers they may find this process to be a useful learning experience. Attending to detail is necessary for success, not only in law school application, but in law school and the legal profession.

### **I. Subscribing to LSDAS**

While many candidates subscribe to LSDAS when they apply to take the June LSAT, for any who have not, it is wise for them to do so by the end of the summer of the year before desired matriculation. Advisees should be reminded that they must request transcripts be sent from every undergraduate school attended. At this time, they will want to make a preliminary decision regarding how many applications they will eventually file, and to sign up for the appropriate number of law school reports.

### **II. Narrowing the Field**

Once candidates have accomplished all of the above, it is easier for them to narrow the field of schools to which to apply. When making the final cut, the role of the pre-law advisor becomes even more important. Your own knowledge of the schools might help applicants to select more appropriately.

Sometimes advisees will ask about the number of applications they should submit. There is no hard and fast rule in this respect. It may be helpful to tell them about the average number of applications filed by advisees from your institution. Probably the best course of action is to inquire of them how much time they have and how much they expect to spend. They should be cautioned, however, that the important matter is not how many applications, but how many prudent applications are being submitted. In general, applicants will want to apply to one or two sure bets, some where their chances of admission are fair, and one or two reach schools. This is especially advisable in a fluctuating admissions market.

### **III. Filing of Applications**

#### ***A. When to File***

After the candidates have identified their schools, you should strongly encourage them to submit the application as far as possible in advance of the school's deadline. This is especially important if the school operates on a rolling admission basis, i.e., files are reviewed as they are completed, and decisions are made shortly thereafter. Most schools have their applications available in August or September. Ideally, the application should be finished by early November, and advisees should also confirm that it is complete. It is generally believed that marginal candidates whose files are reviewed earlier might be more successful than their counterparts with later applications.

Some law schools offer early application/decision options to candidates. Several such programs offer a very early action on an application without binding the applicant to attend that school. Other schools offer an early decision option only to those candidates who agree to attend that school if admitted and to withdraw any pending applications once admission is granted. Many applicants find these programs offer relief from a lengthy application process. Still, applicants to schools that require them to attend if admitted under such a program should be certain that they have thoroughly researched their options and have no doubt that it is *the* school they wish to attend. Many pre-law advisors question whether applying through a binding early decision program is wise from a financial aid perspective. Candidates should be aware that they might not have the same prospects for non-loan financial aid as those who have not promised to attend a school. In recent years, the number of schools using financial grants to secure commitments from especially attractive candidates has risen. If a candidate has already made a commitment to attend a school, there is no incentive for the school to entice them to attend with attractive grant money.

#### ***B. Filling out the Applications***

Law school applications can be completed either on paper or electronically on the law schools' Web sites or through the LSACD. The LSACD from the LSAC includes electronically searchable information from the *Official Guide to ABA-Approved Law Schools* and application forms for all of the ABA-accredited schools. Applicants can use their computers to complete their applications, and need only input general data, such as name, address, etc. once. When using application software, candidates should still make

certain to obtain a copy of the law schools' paper applications, because recommendation forms, notification postcards, envelopes, etc. are not included with software.

If an applicant does not have access to computer-based applications, typing or hand printing paper applications is acceptable. Applicants should take care, however, to keep applications neat, and not make too many corrections. It might make it easier for the applicant to fill out the applications if they make a photocopy of them first, and practice the spacing on that. If printing an application by hand, applicants should do so legibly in black ink.

Including a resume is permitted, or even encouraged, with the application. Still, it is easier for the reviewer (and thus better for the candidate) if the applicant includes the information requested on the application form itself, rather than just referring to an enclosed resume.

### ***C. Misconduct***

Many applications will ask candidates whether or not they have ever been arrested for a crime, ever had any disciplinary action taken against them, etc. It is important that the candidate answer these questions completely and honestly. Many advisees believe that if a matter occurred when they were a juvenile, or has been expunged from their permanent record, they need not reveal it in answer to such a question. In fact, they must include the information. Failure to do so is considered misconduct and can result in expulsion from school, refusal of an application to take the bar exam, or even subsequent disbarment. This is not to be taken lightly. Applicants should include an addendum to their applications to describe any such incidents, take responsibility for their actions, and to give the law school some reason to believe that nothing of that type will occur again.

### ***D. The Personal Statement***

The personal statement is the one component of the admission process that the applicant completely controls. Although some schools may have specific topics, often the assignment is simply to "tell us something about yourself we are unlikely to know from other parts of your application." The length of the statement varies from school to school. Some insist on no more than one page. Most schools feel that two pages is an appropriate length, but prefer that they be double-spaced. Some schools prefer three pages—especially on the west coast. The wise applicants will ascertain what their schools' expectations are regarding length, and try to stay within them.

Of course, it is the content of the personal statement that is of greatest importance. Since each statement should be as individual as the applicant writing it, following the form or style of someone else's successful essay is inappropriate. Law school admissions people attending a NAPLA conference came up with "DOs and DON'Ts" for personal statements which are a convenient guideline:

### **DO...**

1. Write well—make it flow
2. Have a good first sentence
3. Double space it and leave good margins
4. Type it or use a word processor; make sure ink is dark
5. Keep it within a reasonable length (if length is prescribed, keep it within that length, otherwise plan on no more than two pages)
6. Put your name on each page
7. Be specific and accurate
8. Be truthful
9. Have statement support and be supported by the rest of the file
10. Look beyond fraternity/sorority offices or athletic experiences
11. Acknowledge negatives in your file
12. Turn negatives into positives
13. Mention sensitive subjects in an appropriate way (not overly dramatically)
14. Tell them why you've chosen law
15. Show them who you are—this is your interview

### **DON'T...**

1. Overuse thesaurus
2. Use cliches or quote others extensively
3. Misspell words
4. Use third person
5. Title your statement
6. Send multimedia presentations/modeling photos
7. Gush about law school or philosophize about the role of law in society
8. Include name of law school; it might end up in the wrong envelope
9. Pat yourself on the back too much
10. Be too cynical

11. Come across as a victim
12. Be too specific as to what you will do with your law degree unless your experience shows that it is a logical extension of what you've already done
13. Focus too much on another person, even if they have been influential in your life
14. Give a narrative resume, listing activities that are already in the application

### ***E. Letters of Recommendation***

Law schools normally ask applicants to provide two letters of recommendation from people familiar with the candidate's academic work. Frequently, this means faculty members with whom the applicant has taken at least one class. It is appropriate for students to get to know their professors prior to asking them for a letter. This might include a range of activities all the way from dropping by during office hours just to chat about future plans to becoming involved in assisting the professor in doing research. Remind applicants that in general it is better to have letters from professors who taught in a smaller, upper-level course instead of someone who two years earlier had them in a large introductory course. The objective is to provide an admissions committee with an informed and detailed reference.

The best letters of recommendation will offer comparative information about the candidate relative to other students the professor has known. The worst letters will be written by professors who are doing so reluctantly. It is therefore important that applicants choose their recommenders carefully.

It is usually wise to line up recommenders early in the fall of the application year. As soon as the candidate makes a decision to apply to law school, he or she should bring the forms provided in the *LSAT & LSDAS Registration and Information Book*, and possibly a copy of the candidate's resume, transcript, personal statement, writing sample or the like to the recommender. It is also advisable to include stamped envelopes addressed to the Law School Admission Council. On the Letter of Recommendation Form, the candidates must decide whether to waive or affirmatively retain the right to see their letters of recommendation. While law schools tell us that they believe that, when a candidate waives this right, the letters are likely to be more candid, they do not hold it against candidates if they retain their right to see the letter. In general, it is wise not to ask for a letter of recommendation from anyone who might write an unflattering one. It should also be noted that, even if a candidate waives the right of access, a recommender may volunteer a copy to the candidate.

Applicants reluctant to approach professors for letters will inevitably ask whether a non-academic reference would be acceptable. They should be advised that, if the law school says that they want two academic letters, they mean it. Still, some schools requiring two letters would be content with one academic and one non-academic letter. Even those asking for two academic letters might find that a third letter from a non-academic source would be useful. The best of this type of letter would come from an employer, internship supervisor, organization advisor, or other person who is in a position to evaluate objectively a candidate's leadership, maturity, or interaction with or supervision of others. Personal letters of recommendation from family friends are of little value since they are overly subjective.

The LSDAS Letter of Recommendation Service will accept and duplicate up to three generic letters of recommendation and send them to all law schools that receive the candidate's LSDAS report. Since the LSDAS can now handle school-specific letters, every law school will be happy to receive all letters through the LSDAS. In cases where recommenders will have a special connection to a law school, or be able to compare a candidate to others known to have attended a specific school, applicants must remember to instruct the LSDAS as to precisely which school such letters are to be sent.

#### ***F. The Dean's Letter***

Some law schools will expect the applicant to provide a letter written by, or a form completed by, a dean or administrator at the undergraduate institution. Usually, this is meant just to check on whether there has been any academic or disciplinary action taken against the applicant during the undergraduate career, and to confirm the candidate's GPA and/or class rank. Schools that request this letter often do so because of state bar requirements.

In most instances, the dean's letter is little more than a formality. Applicants should not worry about a minor incident in their first year of college when they were written up by their R.A. If there is a more serious problem, however, it is a good idea for the applicant to write an explanation of the circumstances as an addendum to the application. Sometimes, the pre-law advisor might want to discuss the matter with the law school admissions director.

If the person completing the dean's certification form knows a candidate, however, the dean's letter can be used as an opportunity to write an additional letter of recommendation.

#### **IV. Interviews**

Due in large part to the volume of applications received by law schools, interviews are seldom available. Law schools will usually welcome applicants to visit them, and will have admissions personnel available to answer a candidate's questions, but these visits rarely have an impact on the admissions decision. Some schools do offer interviews, but applicants given this opportunity do not necessarily find that it helps them to get in.

#### **V. The Law Schools' Decisions**

##### ***A. The Admissions Index***

Many, if not most, law schools ask the LSAC to compute an admissions index calculated on the basis of a value assigned to the LSAT, the GPA, and sometimes the undergraduate school attended in order to provide a preliminary assessment of applicants. Each school uses its own formula to determine the index, assigning what they believe are the appropriate weights to each factor. A listing of the GPA:LSAT ratios used by law schools are sent to candidates by the LSAC.

Although the index is recognized to be a crude indicator, it enables law schools to do an initial evaluation of the applicant pool. Frequently, law schools divide the pool into three groupings: some presumptive admits, some presumptive denials, and all the rest. If applicants are in the presumptive admit group, they are likely to be admitted unless there is something negative in their file such as a bad letter of recommendation, a poorly written personal statement, or indication of unfitness or misconduct. If applicants are in the presumptive deny group, they are likely to be denied admission unless there are extremely compelling factors in the file which demand reconsideration. The majority of the applicant pool will end up somewhere in the middle. These candidates are compared against each other using more subjective criteria.

##### ***B. Admit/Deny***

The admit letter is wonderful: it offers a seat in the upcoming class to the candidate. Usually, there are additional forms to be filled out and fees to be paid if the candidate intends to accept the offer of admission. In general, candidates are not required to submit money to hold their position in a class until April, thus giving them a chance to hear from

most, if not all, of their schools before making a final decision. If applicants know that they are not interested in accepting an offer of admission from a particular school, many eager applicants would appreciate their telling the school of that decision so that the seats can be offered to others. Advisees should be certain that they pay their seat deposits on time. Otherwise, they might lose their chance of attending a school that has admitted them.

The deny letter is disappointing, but at least candidates know where they stand with a school. Hopefully, candidates will have applied appropriately, and they will be getting admission letters from other schools. If all of an applicant's applications are denied, however, it may be necessary for the pre-law advisor to help the advisee to confront the prospect that law school is not in the immediate future, and to explore alternatives.

### ***C. Hold***

The hold letter tells the applicants only that their application has been reviewed, and that the school has not made a decision regarding their admission. Often, this is because the school wants to see the rest of the applicant pool before deciding to admit/deny/wait list an individual. This keeps the applicant on tenterhooks, especially if the school in question is the first choice. Still, it is a practice that has come into greater usage with the volatile admissions environment of the last several years. Advisees in a hold category would be wise to accept an offer of admission to another school—the bird in the hand—while awaiting a decision on a held application. Applicants might not know the status of an application on hold until late spring or even early summer.

### ***D. Wait List***

Being placed on a school's wait list tells applicants that the school believes that they are qualified to be a member of the entering class, but that there were too many other candidates who were even more qualified, and who received offers of admission. If a sufficient number of admitted applicants choose to attend that school, applicants on the wait list will not be admitted. If, on the other hand, the law school finds itself a bit short of a full class of paid accepts, a wait-listed applicant may be offered admission. Often, such offers come late in the summer, or even as late as the first week of classes. Of course, applicants would be well advised to accept an offer of admission from another school, rather than count on being taken off of a wait list. Still, each year some students will abandon their plans at the last minute to accept a very late offer of admission. This, of course, wreaks havoc for those who have signed a lease, or made other commitments expecting to go to law school A in city B, and then abruptly switch to law school Y in city Z. Advisees should be aware that

in a competitive admissions environment, otherwise qualified candidates might find themselves on a wait list at a law school if they submit their applications at or near the application deadline.

### ***E. Conditional Admission***

The conditional admission has come into play at a number of law schools. Sometimes, a conditional admission will allow applicants to join the law school class if they successfully complete the CLEO program. For others, the condition on which a student is admitted is that they successfully complete a summer course offered by the school. While these programs provide an opportunity for candidates, who would otherwise be denied admission, to prove themselves, advisees should know what they are doing before deciding to accept a conditional admission. Law schools charge for their summer courses, and often the percentage of those successfully completing them and joining the law school class in the fall is low. Applicants should consider this offer carefully. If they received an unconditional admission from another school, they would be well advised to hold that seat to keep open the option of attending law school regardless of the results of a summer program.

### ***F. Deferral of Admission***

Some candidates may decide they want to, or need to, request a deferral of admission for a year. Often this choice arises because of financial considerations, a family problem, or the receipt of a fellowship for another graduate school program. Typically, law schools seek to accommodate deferrals, but this should not be assumed. Individual schools' policies differ. The *NAPLA/SAPLA Book of Law School Lists* includes a list of deferral policies at various schools for reference, but the applicant should contact the school directly to ascertain what might be necessary to obtain a deferral.

## ***LAW SCHOOL APPLICATION CHECKLIST***

For purposes of this checklist, the application process typically begins in the spring, approximately eighteen months prior to when the applicant expects to begin law school. For summer or mid-year admission, the schedule should be adjusted accordingly.

| <b>Month to be completed</b> |   | <b>Check when done</b> |
|------------------------------|---|------------------------|
| March-June                   | Prepare for LSAT  | _____                  |
| April                        | Apply for June LSAT<br>(If test is not taken in June, applicants are advised not to do so later than the early fall administration) | _____                  |
| June                         | Take LSAT   | _____                  |
| July                         | Receive LSAT score  |                        |
| Aug/Sept                     | Subscribe to LSDAS  | _____                  |
| Aug/Sept                     | Have official transcript(s) sent to LSDAS<br>with transcript request forms  | _____                  |
| Aug/Sept                     | Obtain law school catalogs, applications,<br>and financial aid information  | _____                  |
| September                    | Check LSDAS report for accuracy   | _____                  |
| September                    | Talk to those you have chosen to write<br>letters of recommendation   | _____                  |
| September                    | Write personal statement  | _____                  |
| September                    | Formally request letters of recommendation<br>be sent to LSDAS  | _____                  |
| Sept-Nov                     | Meet with admissions representatives<br>at a Law Fair/Law Forum   |                        |
| Sept/Oct                     | Fill out applications   | _____                  |
| Oct/Nov                      | Send applications   | _____                  |
| Nov/Dec                      | Check to be sure application file is complete,<br>including letters of recommendation   | _____                  |
| Jan                          | File your financial aid applications  | _____                  |
| Apr-June                     | Be sure to pay your seat deposit on time  | _____                  |
| :                            |   |                        |

## **IV. THE NEW DOLLARS AND SENSE OF LAW SCHOOL DEBT**

**By Francis Graham Lee**

### **Introduction**

Nothing helps professional school admissions as much as a weak economy. With the nation experiencing the highest rates of unemployment in twenty years, many undergraduates have altered their earlier plans for seeking employment immediately after graduation. Law schools have been a major beneficiary of these changed plans. The most recent figures (June 2003) released by the Law School Admissions Council (LSAC) report that the number of tests administered for testing year 2002-03 approached the figures produced in TY 1991-92 and, in fact, that the number of applicants (the really important statistic for people seeking law school admission) may even come to exceed the record year of 1991-92. With more and more applicants thinking of continuing their education beyond the four years required for the baccalaureate degree, the question must be asked as to how they intend to pay for these additional years. Since many who are now applying to law school did not plan to do so only a few years ago, it follows that many have not made any plans as to how they intend to pay for the law school experience.

Recent reports indicate that the average undergraduate today leaves college with a greater debt load today than in the earlier time period when the number of law school applicants reached their record pinnacle and that the rates by which this indebtedness has mounted far exceeds the rate of inflation for the same period. Graduates of private colleges and universities, according to U.S. Department of Education figures, bid *adieu* to their alma mater owing an average of \$17,250, as opposed to the \$9,793 owed in 1992-93. The numbers for graduates of public colleges and universities have increased even more steeply. In 1992-93, the mean owed was \$6,449; in 1999-00 (the most recent year for which figures are available), it had almost tripled to \$15,375.<sup>1</sup>

Although talk about the over supply of lawyers has vanished, so generally have articles announcing that law firms are increasing starting salaries to realms that make pre-

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<sup>1</sup> Tracy Wong Briggs, "Student Loans for All Income Levels Increase," *USA Today*, December 3, 2001, ID.

law advisors unduly envious. The numbers released annually by the National Association for Law Placement (NALP) reflect the cooling of the job market. Still, for people entering law school today, the important numbers relative to the market are what will occur three or four years down the line. The usually prescient Bureau of Labor Statistics predicted a sharp rise (28%) in the demand for lawyers by the year 2005.<sup>2</sup> That, fortunately or unfortunately, is a number that no one can predict with any degree of confidence. It is something, however, that students need to consider as they continue their education and continue the borrowing necessary to finance it.

Tulane University Dean John R. Kramer, one of legal education's premier experts on financial aid, saw the issues of debt quite simply in 1990. "Law school is an expensive undertaking. But you've got to have it. You cannot afford not to go to law school. ...[T]he investment you make for three years should be recouped in full by no later than four years after you graduate.... Any investment counselor would advise you to put your money into such a proposition - quickly."<sup>3</sup> Five years later, Dean Kramer's tone had changed. " 'It's the biggest crisis that has ever confronted legal education,' said Kramer..., chairman of the Access Group,<sup>4</sup> the largest private lending organization for law students. 'We're coming to nut-crunching time in legal education. Finally, the wolf is at the door.'<sup>5</sup> In the newest edition of *Looking at Law School*, Kramer sounds a very cautious note: "Your payback period is likely to be stretched out.... What was once a no-brainer investment has become a much closer call."<sup>6</sup> Recent figures released by the Access Group bear out Kramer's remarks. The default rate on student loans for lawyers is now in the 15 to 20 percent range.<sup>7</sup>

Dean Kramer is not the only person who was caught flat-footed by the issue of law student debt. Most pre-law advisors were equally in the dark. Even the most conscientious

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2 "Bureau of Labor Statistics Projections on Employment," *NAPLA Notes*, 19 (1997), 28-30. The market for 1999 graduates seems to be returning to the glory days of the late eighties. See, e.g., Carlyn Kleiner, "One Law Student, 10 Job Offers," *U.S. News & World Report: Best Graduate Schools* (1999), 39.

3 John R. Kramer, "Financing a Legal Education," *Looking at Law School*, ed. Stephen Gillers (New York: Meridian Books, 3rd ed., 1990), 28.

4 The Access Group, based in Wilmington, Delaware was formerly Law Access, Inc., a subsidiary of the Law School Admissions Council. It was separately incorporated in 1993. Unlike its predecessor, the Access Group is involved in making loans available to students enrolled in professional schools other than law.

5 Ken Myers, "With Loan Default Rate Jumping, Officials Are Becoming Nervous," *The National Law Journal* 11 March 1996: A16.

6 John Kramer, "Financing a Legal Education," *Looking at Law School*, ed. Stephen Gillers (New York: Meridian Books, 4th ed., 1997) 33.

<sup>7</sup> Eileen Crane and Stephen Brown, "Cracking the Mystery of Financial Aid," 2003 NAPLA Conference, Pittsburgh, PA, June 2003.

and informed members of the pre-law profession tended to shunt off questions about financial aid to the law schools. These, surely, were matters that could well be handled after acceptance or, if scholarships or financial aid were not in the picture, until after the student had matriculated at a particular law school. Just as Dean Kramer has changed his tune, so pre-law advisors must now address the issue and be prepared to advise their applicants as to the nature of the financial risk and how it can be best handled.<sup>8</sup>

## The Debt ISSUE

The numbers speak loudly to the scale of the current issue. According to Access Group's Senior Manager for Research and Analysis, Douglas Shuman, the average indebtedness of a law school graduate in 1993 was \$25,600; in 1994, the total was \$30,600; in 1995, the number had risen to \$37,700;<sup>9</sup> currently, the figure is estimated to be \$88,000.<sup>10</sup> "Average indebtedness among law graduates is now rising at a rate of more than 20 percent a year. About \$1.5 billion in borrowed cash financed the education of 70 percent of all applicants at ABA-accredited schools in 1994-95."<sup>11</sup> None of these figures includes the debt students owe for their undergraduate education.<sup>12</sup> As is true of all averages or means, the numbers also masquerade significant differences in debt levels between students attending public-supported state law schools and those who attend private law schools. Not

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<sup>8</sup> Most of the commercial books directed at pre-law students also largely ignored the subject of financial aid. The Princeton Review's *Law School Companion* (New York: Random House, Inc., 1995) devoted only 3 of its 228 pages to the topic. The 1996 edition has expanded that coverage, allocating 16 pages out of a total of 162 to finances. Kaplan's *LSAT: All-in-One* (New York: Bantam Doubleday Dell, 1995) spends two of 277 pages on financial aid. ARCO's *Getting into Law School Today* (New York: Prentice Hall, 1994) avoids the issue entirely, as, perhaps, the author of this chapter should have done, as well! In contrast, Ruth Lammert-Reeves, *Kaplan-Newsweek Law School Admissions Advisor 2000* (New York: Simon & Schuster, 1999), devotes forty pages to the topic.

<sup>9</sup> Dina A. Ellis, "Law Grads Shackled by Debts, Rising Tuition, and Tight Job Market," *The Daily Record* 15 May 1995: 1.

<sup>10</sup> Crane and Brown.

<sup>11</sup> Ann Davis, "Law Grads Face Pinched Futures." *The National Law Journal*, 15 January 1996: A16.

<sup>12</sup> Figures provided by the Pennsylvania Higher Education Assistance Agency give some insight into the average indebtedness of Pennsylvania graduates. For Pennsylvania residents attending a Pennsylvania school, the average indebtedness of students who had PHEAA guaranteed loans was \$13,200. For those attending non-Pennsylvania schools, the debt was \$13,700. Since these figures are calculated based on the assumption that students will graduate after four years and some students take a fifth year, the actual figures may be somewhat higher. Letter from Karl Ross of PHEAA to John Pergolin, Director of Financial Aid, Saint Joseph's University, 8 April 1996. As of 1998, the American Association of Universities and Colleges estimated that the average debt for a student attending a private college stood at \$16,800 upon graduation.

surprisingly, some of the highest debt levels are incurred by students attending private law schools in the greater New York City region. Stephen G. Brown, then New York University's Director of Student Financial Services, was quoted in 1995 in the *New Jersey Lawyer* as estimating average student debt at N.Y.U. at \$51,000. Across the river at Seton Hall, the total given was \$50,555.<sup>13</sup> Private schools in the Chicago area reported almost identical sums.<sup>14</sup> In contrast, graduates of state-supported schools report much lower debts, as do graduates of evening programs. Chicago-Kent Law School estimated that evening graduates emerged with fifteen thousand dollars less of law school debt than their daylight peers.<sup>15</sup> The average obligation of a University of Maryland Law School graduate was \$34,000 in 1995; University of Baltimore law grads were thriftier than their cousins up at West Baltimore Street, owing on average only \$31,000.<sup>16</sup> All of these figures probably need to be doubled to make them reasonably accurate representations of today's situation.

Even more troubling than the dramatic rise in indebtedness levels during the past years is the surge in default rates. An axiom of the early '90s was that loans to students in professional schools were among the securest of loans. The default rate was negligible. Today, "[l]awyers ... default more often on their student loans than any other professionals, including doctors, engineers and MBA's .... At some expensive, private law schools as many as 40 percent of the past decade's graduates have defaulted on their loans ...."<sup>17</sup> A more accurate, though equally frightening, picture of the default rate is found in the figures Dean Kramer provided to Ken Myers, formerly the reporter on law schools for *The National Law Journal*: "The default rate on Access loans jumped from 3.2 percent in June 1993 to 12.9 percent in December 1995, to a projected 19.6 percent in December 1996."<sup>18</sup> That number also has increased, although it appears, only slightly.

Faced with the possibility of a spiraling default rate, The Access Group (previously Law Access) "... announced [in 1996] that ... 36 law schools would have 'caps' placed on private loans for their students unless they pay additional guarantee fees [and that a]n

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<sup>13</sup> Dana Coleman, "Grads Add Bar Exam Loan atop Pile of Student Debt." *New Jersey Lawyer* 7 August 1995: 1

<sup>14</sup> Ed Finkel, "Banks and Law Schools Offer Grads Tips on Scaling Mt. Debt." *Chicago Lawyer* April 1994: 70.

<sup>15</sup> *Ibid.*

<sup>16</sup> Ellis, *op. cit.* 1

<sup>17</sup> Ann Davis, "Heaviest Debt Burdens the Lawyers Least Able to Pay." *The National Law Journal* 15 January 1996: 1.

<sup>18</sup> Myers, *op. cit.*, A16.

additional 57 schools characterized as being ‘at risk’ clearly face future consequences.”<sup>19</sup> Some lenders have reacted to varying default rates among schools by charging different rates depending on the school that the student attends or by “red-lining” particular schools and not offering any loan money to their students.<sup>20</sup>

Another color that has to be added to the loan picture is the amount of undergraduate debt the first-year law student brings to the 1-L class. This as noted above has increased dramatically. Averages also hide very real differences among individuals. Most graduates of four-year institutions leave without any indebtedness.<sup>21</sup>

A final fact sets off the picture of debt in the twenty-first century as contrasted with previous periods of economic history. Those who incurred loans for education or homes in the ‘70s and ‘80s had much of their debts paid off by inflation. Today, with inflation apparently at bay and economists even discussing the possibility of deflation, the dollars borrowed will likely have to be paid off in relatively constant dollars unlike the student loans incurred by many a pre-law advisor. On the plus side of the ledger, the slaying of the inflation dragon or even the specter of inflation has led to interest rates that are at levels not seen since the halcyon days of the Eisenhower administration.

## **The Pre-Law Advisor as Financial Counselor**

### **The First-Year Lecture**

The sharp rise in student indebtedness and the equally precipitous surge in student loan defaults clearly should force pre-law advisors to re-think their role. As always, the role of the advisor is as educator. Students coming from high school not only bring fewer of the academic skills they need to make the most of their undergraduate experience, but have less understanding of the “real world” than their counterparts but a decade earlier. Financial illiteracy is one aspect of their ignorance. For those advisors who wisely want to contact potential pre-law students as soon as possible, the lecture should include not only the fact that first-year grades are very important, but that those students who wish to go to law school and who cannot depend on their families for support after graduation from college must begin managing their spending.

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<sup>19</sup> Leigh H. Taylor, “Nudging the Pendulum,” *Law Services Report* May/June 1996: 5. It should be noted that although all A.B.A. -accredited schools are eligible, only 140 are members.

<sup>20</sup> Brown, *op. cit.*

<sup>21</sup> Linda Wightman, *Legal Education at the Close of the Twentieth Century: Descriptions and Analyses of Students, Financing, and Professional Expectations and Attitudes* (Newtown, PA: 1995) 45.

Students who attend private schools have learned that all but the most academically competitive undergraduate institutions are in the business of discounting tuition. Bit by bit, the reality is dawning that, despite the sharp increases in the sticker price of undergraduate private college tuition, few customers pay the list price. Students at those institutions considered most competitive benefit from need-based scholarships. In reality, few students pay full tuition. It is not surprising, therefore, that many of these students entertain a strong expectation of similar treatment in law school. The LSAC study of students who entered law school in 1991 found that only 29 percent of the students received any non-loan money from law school, a figure that was almost identical to the percent receiving aid in the early 1960's.<sup>22</sup> There is no reason to expect that this should change in the next decade among the top schools that typically have ten or fifteen times the number of applicants to the number of seats available in the first-year class. Even law schools further down the feeding chain may find themselves able to reduce the proportion of their budgets devoted to funding merit scholarships. According to the 1991 data, for the 29 percent who did receive non-loan money support, the aid constituted less than half of the overall costs of their legal education. Only 8.5 percent of the respondents reported receiving "half or more of their costs through scholarships or grants."<sup>23</sup>

What can we reasonably teach first-years? Having clarified the reality that law schools are unlikely, whatever the nature of the legal education market when their turn comes to apply, to pay students' tabs for three years of law school and that, therefore, students or their families must expect to pay a much larger percent of the costs of securing a law degree than they had to at the typical private college, a key concern for first-years and other classes as well is the need to maintain their credit rating. The LSAC Research Report profiling the class entering law school in 1991 is still instructive on this point. Over seventy percent of first-year students reported that they had borrowed to pay some part of their educational expenses.<sup>24</sup>

The danger for the undergraduate looms in the ease with which credit cards are offered to them. This, combined with students' tendency not to read fine print and a sometimes carefree attitude regarding deadlines, can easily lead to a bad credit rating that will adversely affect their chances of securing a loan for law school education. Back in 1990, Bates College pre-law advisor Virginia Griffiths urged her colleagues to take steps to

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<sup>22</sup> *Ibid*, 48. For information about law school graduates in 1961, cf. S. Warkov and J. Zelan, *Lawyers in the Making* (Chicago: Aldine Publishing Co., 1965).

<sup>23</sup> Wightman, *op. cit.*, 52.

<sup>24</sup> *Ibid*, 51.

ban credit card promotions on campus.<sup>25</sup> Ten years later, such advice sounds quaint. Students receive cards without applying for them. Other than cutting them all up, the advisor needs to encourage students to limit themselves to one card; indeed, responsible use of a credit card can help when they are applying for law school loans by giving them a good credit history. Warn them that the minimum balance is always due; and, if parents are willing, have the credit card bill sent home. Mom and Dad may be more likely to pay on time!

In a 1992 *NAPLA Notes* article, Georgetown Law Center's Ruth Lammert-Reeves proposed the following guidelines that advisors might want to hand on to their advisees:<sup>26</sup>

1. Don't charge more than you can afford to pay off at the end of the month. Think of the credit card as another form of payment, not a form of delaying payment.
2. A rule of thumb is to charge no more than 10% of your gross monthly [income]. If you earn \$300 per month at your part-time job, charge no more than \$30.
3. Be realistic about what kind of lifestyle you can afford. There are plenty of people who pretend to have financial resources that they don't. They live on the financial edge and put themselves at great risk by overextending themselves.
4. Get rid of all your credit cards if you do not have the self-control to manage them. Avoid trouble from the start.

According to Stephen Brown, now Financial Aid Director at Fordham University's School of Law, "... access to loan funds is a critical issue for 15-20% of students ... [who] have not managed their previous credit accounts properly."<sup>27</sup>

The second item is, possibly, the more sensitive. How much is an undergraduate education worth for the student who must go into debt? How important is it that a student lives on campus rather than stays at home? How important is it that a student attend a prestigious and expensive institution rather than a cheaper public alternative? <sup>28</sup> As noted

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<sup>25</sup> Virginia Griffiths, "Haunting Credit Records and the Fine Print: Financing a Legal Education," *NAPLA Notes* 12 (1990): 6.

<sup>26</sup> Ruth Lammert-Reeves, "Credit Card Misuse may Cause your Students to Delay Law School," *NAPLA Notes*, XIII (1992): 30. Lammert-Reeves is also the author of an excellent guide to law school admissions. See footnote 11.

<sup>27</sup> Brown, *op. cit.* Brown reported the same rate of rejection in his panel presentation at the 2003 NAPLA Conference.

<sup>28</sup> A recent study by Princeton economist Alan B. Krueger found that the benefit, measured in earning power, of attending a prestigious albeit expensive institution as opposed to a less well-known, cheaper alternative was not that significant except for students coming from lower-income families. For this sub-set of the population, there was a great benefit in attending the more prestigious institution. Alan B. Krueger,

above, undergraduate education loans seem manageable. The averages appear to run from \$15,000 to \$18,000, but what happens to the student whose liability runs above these averages? Such students are apt to be ones who cannot expect any more family help when they enter law school. Can a student, carrying \$25,000 of undergraduate debt, reasonably expect to be able to enter law school immediately upon graduation from college, faced with the prospect of an average of \$70,000 in additional loans? Is the student whose family cannot pay a significant portion of the bill for undergraduate education and who wants to go to law school better off at a less expensive college or university?

The Wightman study of the class entering law school in 1991 contains some fascinating information about undergraduate debt levels. One such fact is "... that 58 percent of the... class reported no outstanding educational debt at the start of [law] school. As important, only 12 percent report owing debts of \$10,000 or more .... Nearly 40 percent of those students with some debt report debts of \$5,000 or less."<sup>29</sup> Although the percentage of students reporting no debt is higher at the sixteen schools that were identified as most selective and most expensive, the differences among the six clusters of law school studied by Wightman disappear if you combine those students reporting no undergraduate debt and those claiming undergraduate loans of less than \$2,500.<sup>30</sup>

### **Juniors and Financial Aid**

Generally, advisors meet with pre-law students as a group sometime during their junior year. Such a meeting serves to re-introduce the advisor to the students, to communicate to the students the dates of the LSAT and other items involved in the registration process, the need to prepare for the test, and the desirability of using the summer to start to identify laws schools to which the prospective applicants might apply. The latter involves some discussion of the numbers: LSATs and UGPAs. Another number that should be broached at this meeting is the dramatic difference in costs among law schools.

According to the ABA, grants to law students totaled only \$16.6 million.<sup>31</sup> The likelihood of obtaining such grants is highest among the most selective and expensive of law schools and among the smallest and least expensive, the latter group enrolling the largest

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"Economic Scene: Children Smart Enough to Get into Elite Schools may not Need to Bother," *The New York Times*, April 27, 2000, p. C2.

<sup>29</sup> Wightman, *op. cit.*, 45.

<sup>30</sup> *Ibid.*, 46. Wightman, using cluster analysis of 155 ABA-approved law schools, identified six clusters by using the following variables: size, cost selectivity, faculty/student ratio, percent minority, median LSAT score, and median UGPA. *Ibid.*, 6.

<sup>31</sup> Ann Davis, "Graduate Debt Burden Grows," *NAPLA Notes*, XVI (1995): 58.

number of minority students.<sup>32</sup> Minority and other financially disadvantaged students should also be informed of CLEO (Council on Legal Education Opportunity).

Since scholarships, however, rarely pay even a fraction of legal education, the issue at this juncture is to get students to confront how much parents are willing to continue to finance their child's educational expenses and how much the student is willing to borrow. Ability to borrow does not seem to be an issue, yet there is one exception to this statement: students who have a bad credit rating. Students should contact one of the credit services (There are three: Equifax [<http://www.equifax.com>]; Experian [<http://www.experian.com>]; and Trans Union [<http://www.tuc.com>]) to make sure that there is nothing in their credit history that will adversely affect their ability to borrow.

For those candidates whose families will not be paying a significant share of legal education expenses, a discussion is in order about state law schools, less expensive private law schools and/or less expensive living locations. Whether Benjamin Franklin left Boston for Philadelphia because of lower living costs in the City of Brotherly Love is not established, but that costs are higher in the Hub of the Universe is clear. The pros and cons of merit-based scholarships and the extent and operation of loan forgiveness programs are also subjects that should be addressed in junior year.

In terms of state law schools, the gap between their tuition rates for in-state residents and the tuition charges at private schools could easily obviate the need for well over \$20,000 of additional student loans. Is the private school worth it? Commissioned by LSAC, the Wightman study found that “[s]tudents in the cluster of 50 ‘larger, more expensive, less selective schools’ were two to three times as likely to borrow all their first-year costs, usually \$20,000 or more, than 1-L’s at the 16 elite and the 14 next most highly selective schools.”<sup>33</sup> A recent issue of the *Pre-Law Insider* provided very detailed information about the relative tuition levels, living expenses, and debt expenses for most of the nation’s law schools.<sup>34</sup>

What about forgoing matriculation at one of the most selective law schools for full tuition at an institution that is not among the forty or so schools that claim to be in the so-

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<sup>32</sup> Wightman, *op. cit.*, 48.

<sup>33</sup> Ann Davis, “Heaviest Debt Burdens the Lawyers Least Able to Pay,” *The National Law Journal*, 15 January 1996: 1.

<sup>34</sup> Rebecca Luczykli and Tom Stabile, “The Law School Debt Game,” *XXI NAPLA Notes* (2000), 20-28.

called top twenty? A three-year full scholarship is hardly unattractive. Is it worth turning down an Ivy law school or another truly top-ten school? What about schools in the next tier? Again, it depends on the value of money, but our applicants need to understand that dollars have different values to people from different financial backgrounds. Impressions from the 1997-98 recruiting year seem to indicate that more law schools are offering more money as a lure to maintain the necessary percentage of top GPA-LSAT students and with them their valuable ranking in *U.S. News & World Report*.

One's foreground is another matter. Not every student can aspire to a job at a large, high-paying law firm.<sup>35</sup> It is just as true that not every student aspires to that goal. The student who wants to work in the district attorney's office, or with an advocacy group, is not going to be able to handle the same debt load as the graduate who heads to Wall Street. The prestigious law school will be helpful in getting either type of job, but can the people who want to serve the public afford to serve the public if they have a debt of \$40,000 or more? In addition, less prestigious law schools may provide opportunities more helpful to students who want to engage in legal advocacy than those offered by prestigious law schools. The law school located in an urban area is able to offer more types of legal clinics than the school situated in a rural area. The local law school may determine that it is better for it to become more involved in the community from which it draws its support than the national law school. Former NALP President Cynthia Rold of the University of Illinois College of Law has pointed out that "[u]nless a student wants to practice in a large law firm, it is not true that a student should attend the best law school s/he can. Many legal employers prefer to hire graduates from the law schools in their area because they think there will be a better fit between the student and the organization based on the lawyer's personality, background, and lifestyle."<sup>36</sup>

Loan forgiveness is a growing option for the students interested in public-interest law. It is also a very necessary option since the average public-interest job, as of 1998, paid \$31,000.<sup>37</sup> The number of law schools that offers such a program has grown dramatically of late, particularly among the more prestigious and more expensive institutions. Yale and

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35 Assuming that as a general rule the largest firms (250+) are among the best paring for new associates, NALP reports that women and persons of color are now slightly over-represented. Specifically, it reports that 12.75% of associates at such firm are "of color" and 41.92% are women as opposed to overall percentages of 12.06% and 41.39% for the two groups. Women and minorities are under-represented in firms of fewer than 100. See "Presence of Women and Attorneys of Color in Large Law Firms Rising Slowly but Steadily," *NALP News Release*, November 18, 1999.

36 Cynthia L. Rold, "Career Counseling for Pre-Law Students," *NAPLA Notes* XVI (1995): 57.

NYU were among the leaders in offering such programs “with Yale offering \$1.3 million in grants [in 1999] to 227 graduates and NYU providing \$1.1 million to 185 graduates.”<sup>38</sup> There are, however, programs at the already cheaper state schools and even at some of the less expensive private law schools. A survey by the *Pre-Law Insider* identifies fifty-one law schools that have some sort of loan forgiveness program.<sup>39</sup> An excellent source to find up-to-the-moment data on such programs is <http://www.PSLawNet.org>, a Web site maintained by the Public Service Law Network.

Before they jump for one of these schools, prospective matriculants should carefully consult law school catalogs for the specific regulations governing each of these programs. Among the factors that vary are the amount of loans that may be forgiven, whether undergraduate loans are included, the types of positions that qualify -- judicial clerkships, for example, rarely qualify -- the loan recipient’s salary, and the length of time that the person must spend at the qualifying position.

The manner in which programs of loan forgiveness operate also varies. One option is for the law school to provide to the qualifying graduate a new loan that assists the student in paying off existing debt. “If the graduate remains in eligible employment for a sufficient period of time, these ‘program’ loans will be canceled -- hence the term, loan forgiveness.”<sup>40</sup> Other programs are offered by state government, e.g., Maryland, and by bar associations. AmeriCorps, the program established during the Clinton administration for encouraging volunteerism, is another option with the possibility of up to \$50,000 forgiven over a three-year period.<sup>41</sup> Demand for such programs, not surprisingly, is also increasing. At the University of Chicago Law School, for instance, a program in place since 1987 which averaged about six applications per year saw the number of applications expanding to fourteen.<sup>42</sup> The number of graduates who benefit from such programs remains only a small fraction of the total of graduates. In 1989, when there were only half of the programs in place compared to today, the number of persons participating was 350.<sup>43</sup> Changes in tax law resulting from the Taxpayer Relief Act of 1997 may mean that law graduates who opt to

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37 Buckley, “Public Interest Honor Roll,” p’ 29.

38 *Ibid.*

39 “Forgiving Loans to Open Doors, *Pre-Law Adviser*, Spring 1999, 26.

40 Lana Proctor, “Career Choices Increase as Loan Forgiveness Expands,” *NAPLA Notes* X (1988), 7.

41 “Bar Foundation Awarded First AmeriCorps Grant: Funds Will Be Used for Loan Forgiveness Programs,” *The Legal Intelligencer* 21 June 1994: 3.

42 Karen Wagner, “U. of C. Law School Focusing on Increased Diversity,” *Illinois Legal Times*, October, 1994: 15.

work in 501(c)3 organizations or for the government and who have their loans forgiven will not have these sums subject to federal tax.<sup>44</sup>

In addition to PSLawNet, additional information about such programs is provided by the National Association for Public Interest Law (NAPIL). NAPIL is located at 215 Pennsylvania Avenue, SE, Washington, DC, 20003.

Just as the number of law schools offering programs to encourage students to enter public interest law has increased, so has the number of law schools offering non-need merit-based scholarships. Again, the Stern-Wilson survey is an excellent starting place to obtain data on this development, listing a total of 126 schools that offer such scholarships.<sup>45</sup> Although only one institution generally ranked in the top ten appears in the list, there is an amazing variety of schools that have abandoned the need-only formula, and no longer are those schools confined to the more obscure, least prestigious institutions. Students who might qualify, i.e., high LSAT/UGPA, should be cautioned, however, to read carefully the conditions for retaining such a scholarship. Specifically, they should be well aware of whether a minimum grade point average must be maintained and the likelihood at that particular law school of their earning such an average. For the student who already is carrying a heavy undergraduate debt, three free years of law school -- at least the education part -- has much to commend it. Other schools have dramatically increased the amount of scholarship aid available. Touro Law Center, for instance, "anticipate[s] that over fifty percent of ... the [1998] admitted class will be awarded scholarship funds."<sup>46</sup> Many other law schools have already instituted or likely soon will adopt similar practices in their scholarship programs. At the undergraduate level, private schools refer to this as "discounting."

Finally, juniors should be advised to make sure they have available all of their own tax records and those of their parents for the previous two years. Students who have not been the best record keepers can get copies from the Internal Revenue Service. Law schools generally will want the previous two years of records in order to determine financial eligibility. A related issue is the financial aid transcript that will be needed before any loans are approved. Students will need to have each school they attended certify that they are not in arrears. This is done usually late in senior year. Students should make a quick check,

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43 Kramer, *op. cit.* 51.

44 Brown, *op. cit.*.

45 Stern and Wilson, *op. cit.*, 119-120.

46 <http://tourolaw.edu/>

however, to insure that there are no financial “red marks” on their record. As mentioned earlier, junior year is also the time to check to insure that their credit records are such that they will be eligible for loans. Both the student and the student’s parents (if they are intending to borrow to help their son or daughter) should contact one of the credit reporting agencies. Mistakes are not always corrected quickly so a student needs to find out early what the record says. A bad credit rating can be more damaging than academic F’s to an applicant's chance of entering law school.<sup>47</sup> Finally, students should think of keeping tabs on their actual expenses: most have little idea of how much it costs to live.

By their junior year, they probably have fled the dorms and entered the real housing market. Urge them to keep a record of their expenses. This will stand them in good stead when it comes to figuring out what they will need to live as a law student. It might also reveal certain spending habits that cannot reasonably be sustained when loan money replaces parental hand-outs (or “ending welfare as we know it!”). Help on preparing a budget can be had by using Access Group’s free Access Advisor (<http://www.accessgroup.org>).

### **Seniors and the Loan Picture**

Early into the second semester of senior year, as your pre-law candidates continue to fret about when they will be notified about acceptances, is probably the optimum time to conduct a workshop on available sources of money for law school. Your undergraduate school’s financial aid staff is probably the best resource upon which to draw for this session. A graduate or friend who is involved in personal financial planning would be another valuable person to have on board. At a later session, you might want to assemble a panel of your graduates who have recently completed law school or who are still in law school to talk about their ability to deal with the debts they have incurred.

The session can start off with a good news/bad news announcement. The good news is that parents are no longer expected to contribute to their child’s education. So long as parents do not claim the student as an exemption after graduation from college, the student is considered to be independent<sup>48</sup> and can borrow, currently, up to \$150,000 for combined

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<sup>47</sup> Advisors might want to have a copy of Gerri Detweiler’s *The Ultimate Credit Handbook* (Plume, 1997) available at \$12.95 as a resource for the student who needs to take action to remedy a bad credit rating.

<sup>48</sup> Some schools assume that a student who will turn 24 is independent without any supporting tax records. According to Kramer, the Higher Education Amendments of 1986 “recognized [graduate and professional students] as independent of their parents for purposes of computing financial aid, provided either they were twenty-four years old by December 31 of the year they entered law school or were under twenty-four years old but not claimed as tax dependents in the first calendar year for which the federal aid was

undergraduate and graduate debt.<sup>49</sup> For older students applying for loans, home equity is not considered an asset for determining need.<sup>50</sup> This applies for all federal loan programs -- individual law schools may, however, have different standards for dispersing their own funds that might be affected by parents' income and resources. The bad news is that education debts are not dischargeable. Even if a person files for bankruptcy, the student debts remain.

At this meeting, you might want to distribute the Free Application for Federal Student Aid (FAFSA) forms. Like everything else important today, they can be found on the web at <http://www.fafsa.ed.gov>. At the same time, urge the candidates to file their federal tax forms as soon as possible since they are necessary for completing the FAFSA, although the latter does allow estimates. On the FAFSA form, you can do this by choosing the option: "I will file . . . estimated income." Applicants may also get their PIN numbers on line. This is available at <http://www.pin.ed.gov>. You may specify up to six schools to receive the information. For those who are applying to more than six (the national average for 2002-03 was 5.5 schools), you can add to the six after those have been transmitted.

Two hints that the Law School Admission Council's very useful brochure, *Financial Aid for Law School*, provides are as follows: First: "Be sure to answer 'yes' to the question: Will you be a graduate or professional student for the upcoming year." Second, "[i]n the section that asks 'What college(s) do you plan to attend ...?' (Section H), you may write in the school code in place of the address. Information on school codes is available from any law school financial aid office. Using the code may speed up the processing of your application."<sup>51</sup> In addition to this brochure, your applicants will find Access Group's twenty-four page brochure, "Dreams Can Come True . . . with Careful Planning: A Guide to Managing Student Loans" (<http://www.accessgroup.org>) most helpful.

The basic federal vehicle for providing loan money for law students is the Stafford Student Loan Program. Since 1994, and depending upon the law school attended,

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awarded (the year in which the student sought to readmitted to law school). Stephen Gillers, ed., *Looking at Law School* (New York: Meridian, 4th ed, 1997), 46-47.

<sup>49</sup> Brown, *op. cit.* Also, cf. Christine K. Schroeder, "In Debt to the Law," *The Pennsylvania Lawyer*, January/February 1996: 28.

<sup>50</sup> *So You Want to Be a Lawyer* (New York: Bantam Doubleday Dell Publishing Group, Inc., 1994), 84.

<sup>51</sup> *Financial Aid for Law Schools: A Preliminary Guide* (Newtown, PA, Law School Admissions Council).

candidates may have these loans dispersed by the law school directly rather than through the offices of a bank (William D. Ford Federal Direct Loan Program). The first option is the Subsidized Federal Stafford Loan. This provides \$8,500 a year to qualified people who are attending law school at least half time. The interest is paid by the government while the student is in school, and they must begin repaying this loan six months after they graduate. The interest rates are variable, adjusted annually. For the subsidized Stafford Loan, the federal government pays the interest rate during the school period. After graduation, the rate is based on the last auction prior to June 1 of the thirteen-week U.S. Treasury Bill plus 2.3%. The second option, the Unsubsidized Stafford Loan, allows the student the ability to borrow an additional \$10,000. The rate on this during the period the student is in school is the 91-day U.S. Treasury bill plus 1.7%. Afterwards, the rate shifts to the T-bill plus 2.3 % of this. The aggregate maximum (including undergraduate loans) is \$65,500 of subsidized loans and a total of \$138,000 of subsidized and unsubsidized loans. As of 1999-2000, Stafford Loan rates are capped at 8.25%. Current interest rates result in the actual rate today being much lower. Individual law schools can cap this amount at a figure lower than the maximum of \$18,500 per year.

The William D. Ford Federal Direct Loan Program provides three different options for repayment in addition to the normal ten-year payment period. The first allows the fixed period to be extended beyond ten years. The second links repayment to salary levels. The third option allows the borrower to start with smaller payments and then, gradually, to have them moved up in size.

There is also the possibility of federal work-study programs at law school, as well as working for law faculty.

Filling in the remaining gaps are five non-governmental sources of funds. Two of these, LawLoans and The Access Group (formerly Law Access), grew out of efforts by the Law School Admission Council to guarantee a steady stream of funds for students studying law. Until 1989, LSAC had worked with Northwest Bank. Now unaffiliated with LSAC, LawLoans is offered cooperatively by HEMAR Insurance Corporation of America, Salle Mae, Northstar Guarantee Inc., and Norwest Bank South Dakota N.A. The Access Group, a non-profit organization, arranges loans from KeyCorp Bank of Cleveland. The other players are Kaplan/American Express, Citibank Advantage, and Grad EXCEL. Advisors should probably have a supply of brochures from these five organizations. Although they all have

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the same goal, there are variations in terms of rates, the amount that can be borrowed each year, the total of educational loans a student may carry, and requirements for co-signers. Grad EXCEL, for example, caps law students at a total of \$80,000 in loans, but has no cap if there is a co-signer. Law Access has a maximum of \$120,000; LawLoans allows a student to have \$150,000 in educational loans, but this amount requires a co-signer. Without such backing, the maximum is \$125,000.

Currently, Access Group Private Loans for students in law school are based on the three-month London Interbank Offered Rate (LIBOR) plus either 2.45%, 2.55%, or 2.7%, depending on the loan program the borrower chooses and the institution attended. Better rates are offered to students who make their payments on time (after 48 consecutive payments, the rate of interest drops by 2%) and if the borrower agrees to have the payment automatically deducted from his or her checking or banking account (a reduction of .25%).

Advisors definitely should have brochures available for their applicants. The Access Group can be reached at 1-800-282-1550; LawLoans at 1-800-366-5626; and Grad EXCEL at 1-800-255-TERI. Choosing among these sources is possibly more confusing than choosing which is the right law school for you. Definitely, parents should be involved and, possibly, an unbiased financial advisor. The principal of the loans and the interest that will be due over the course of ten or twenty or thirty years make this a major investment that could haunt the law school graduate for many years to come.

For some applicants and their parents, another option would be a home equity loan. This would be a particularly attractive alternative for candidates who find that they may be required to have a co-borrower in order to obtain the size of loan they need. Unlike educational loans, the interest on home equity loans is still tax deductible, a not inconsiderable benefit for those in the higher tax brackets.

In addition to providing loans for legal education, The Access Group and LawLoans have begun offering loans to cover the expenses incurred while studying for the bar examination. These expenses are not covered by any federal loan program. For example, the Access Group currently allows graduates to borrow up to \$8,000.

The mounting levels of debt raise the issue of what is termed debt consolidation. This allows students to take educational loans obtained from various sources and to consolidate them, extending the times that they will have to make payments. Consolidation

frequently can be beneficial; at times, it is necessary. It is, however, something that has to be examined on an individual basis. Not all loans are equal. A loan with a low rate of interest possibly should not be wrapped up into a higher costing, albeit more convenient package. For students who do not consolidate because the costs would be higher -- writing two checks might be a nuisance to some generation Xers but it is silly to give up a loan that carries a lower rate of interest for this convenience -- a letter of deferment must be sent to the original lender every semester that indicates the borrower is currently attending law school.

The final item for the session should be monthly payments. "... [T]he average law-school graduate puts about sixteen percent of his or her gross salary into debt payments, according to combined data from the ABA and the National Association for Law Placement. A 40 percent payout is not unheard of."<sup>52</sup> Assuming an interest rate of 8.75%, a student with a combined debt of \$40,000 would find a monthly payment of \$430.80 over the life of a twenty-year loan. The monthly payment for a ten-year loan with the same principal would be \$609.96. In neither case would the interest paid be deductible for federal tax purposes. To pay off the same amount in five years would require a monthly payment of \$1,006. The quicker a loan is paid off, the less interest costs are incurred. None of the loan programs has penalties for early payment, but given headlines about student defaults, that probably is a non-issue.

## Conclusion

Pre-law advisors must add the matter of law school debt to their normal presentations to pre-law candidates. Law Loans and Law Access may never be as familiar to the advisor as LSAT and LSDAS, but no longer can they be ignored. Just as many in the past have incorporated the skills of psychologists and test preparers into their routines, now we must reach out to financial aid advisors and personal finance planners.

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<sup>52</sup> Ann Davis, "Graduate Debt Burden Grows," *NAPLA Notes*, XVI (1995): 58.



# V. ADVISING LESBIAN , GAY, BISEXUAL, AND TRANSGENDER APPLICANTS

by Gail Dyer

## INTRODUCTION

As a pre-law advisor, your role is to help advisees make decisions that are in their best interest. For some people, sexual orientation or gender identity will present additional issues to weigh and consider as they make key decisions. It is important to be mindful that any advisee could have these additional issues to consider; i.e., it is not appropriate to assume that any given advisee is heterosexual. You can provide an atmosphere where advisees feel safe to discuss *any* factors that will affect their decisions. Therefore, applicants who happen to be lesbian, gay, bisexual, or transgender (LGBT) will receive wise, reliable advice regarding all their needs, including those related to their minority status.

This section of our handbook will provide you with much of the information you will need to judiciously advise your undergraduate students and alumni who are LGBT. Depending on your office's procedure for obtaining detailed, specific information from applicants when they first solicit pre-law advice (e.g., via a getting-to-know-you meeting and/or a pre-law information form completed by applicants), you can provide applicants an opportunity to communicate with you in a variety of ways. Further, applicants may come to you with questions or concerns as they begin the processes of drafting a list of law schools, creating a résumé, writing personal statements, or completing applications. Ultimately, it is the advisee's decision about whether or not to share information about sexual orientation with you. Whenever and however the issue of sexual orientation is addressed by advisees, you should be prepared to provide them with relevant information, respond to their questions, and refer them to appropriate resources.

Even though our society has made significant strides in recent years toward demonstrating tolerance and respect for LGBT persons, some LGBT people may be rightfully concerned about discrimination in the law school application process, and/or when they study and practice law. In addition, applicants may be concerned about the atmosphere once they get to law school. They may wonder about the following: Is there a visible gay

community on campus or in the surrounding area? Is there blatant or subtle bias, harassment or hostility directed toward them? Is there evidence of personal or institutional homophobia? (Homophobia can reflect both a personal and an institutional prejudice.) As law students and members of the school's broader community, prospective applicants may prioritize the need to associate with, learn and work among people who are comfortable with their sexual orientation.

### **PROVIDING ADVISEES WITH SPECIFIC OPPORTUNITIES TO OBTAIN INFORMATION**

As an advisor, you can take steps to create a welcoming atmosphere for your LGBT advisees with a goal of providing them accurate, discerning advice. First, you can prominently display in your office copies of the Law School Admission Council (LSAC) informational brochure entitled *Out and In*. This booklet contains basic information and advice for applicants, stressing *research* as the key to a good law school decision. It specifically identifies law schools with (1) LGBT student organizations, (2) openly LGBT faculty, (3) a LGBT nondiscrimination policy, and (4) courses specific to LGBT legal issues. Further, the booklet lists the schools that offer any form of domestic partnership benefits for faculty, staff, or students.

Second, you can include the LSAC 1998 video, *OUTlooks*, in your video/DVD library. Using an interview-based format, this 27-minute video provides food for thought for all applicants. Issues addressed include the following: whether or not to be out on applications; the importance of identifying gay-friendly and supportive schools and helpful mentors; post-graduation job hunting; bridging different and sometimes adversarial communities; and life beyond law school. The *OUTlooks* VHS or DVD costs \$14; it is also available as part of a six-video collection on DVD for \$18. Contact LSAC by telephone (215.968.1001), by mail (Law School Admission Council, Box 2400, Newtown, PA 18940-0977), or through the Web site (<http://www.LSAC.org>).

Third, within group settings, you can disseminate information and encourage dialogue. Examples include the following: meeting with your undergraduate institution's LGBT/straight alliance group, if one exists; scheduling a workshop wherein this topic is addressed exclusively for any interested students; scheduling a workshop wherein this topic is one of several law-related topics covered; and arranging and moderating a panel where LGBT members of your local bar or alumni lawyers participate as panelists. (If your budget

allows, include refreshments. If not, co-sponsor the event with other on- or off-campus groups and ask them to fund refreshments. This accomplishes two things: students enjoy being fed, and students may linger for more informal discussions with panelists as they sample refreshments.) An added benefit of the latter type of group forum is that the panelists may also serve as role models for aspiring LGBT lawyers who, in most cases, lack visible LGBT predecessors. Under certain circumstances, you may consider having your student-run newspaper cover various events.

Fourth, you can invite all of your advisees, on an ongoing basis, to provide you with any additional information about themselves that might be germane to the application process and that might help you provide more narrowly tailored guidance to them. This step recognizes that your advisees, for various reasons, may disclose personal and/or confidential information to you subsequent to your first advisement meeting. Thus, you might decide to provide specific examples to encourage them to share particular information that would warrant additional advice from you. Examples of the types of information warranting additional information and discussion include the following: membership in a minority group; a physical, mental health or learning difference diagnosis; financial concerns; and behavior-linked information, such as academic or disciplinary probation during college, or arrests by law enforcement officials.

### **HELPING ADVISEES IDENTIFY SCHOOLS THAT ARE A GOOD MATCH FOR THEM**

#### **The Research Process**

Consistent with the advice you provide all your advisees, encourage LGBT applicants to begin the research process by identifying the major factors they consider to be significant when they research law schools, and then to prioritize these major factors. In addition to the factors outlined in numerous publications, including LSAC's *The Official Guide to U.S. Law Schools* (e.g., geographic region, cost, size, specialties, etc.), LGBT applicants may wish to incorporate an analysis of the following factors into their research process.

- Has the school adopted a nondiscrimination policy that includes sexual orientation or gender identity?
- Does the school have a lesbian, gay, and bisexual student organization? If so, can you speak with its leaders or some members about the school and its environment?

- Are there openly lesbian, gay, bisexual, or transgendered professors on the faculty?
- Are there courses on legal issues specific to lesbian, gay, bisexual, or transgendered people? Are those issues also addressed in such survey courses as family, criminal, and constitutional law?
- Have there been any instances of harassment in recent years?
- If you need it, is university housing available for you and your partner? Can your partner receive benefits like health insurance or the use of library and recreational facilities?

Source: *Out and In: Information for Gay, Lesbian, and Bisexual Law Student Applicants*, Law School Admission Council, Inc.

In addition, you can suggest to advisees the following questions to address with school representatives during the research process.

- Has the law school embraced a commitment to diversity that includes LGBT students?
- Are openly gay students profiled in the catalog or other admissions literature?
- Are there clinical opportunities related to sexual orientation legal issues?
- Does the law school encourage applicants to self-identify as LGBT during the application process -- on the application form? -- in the personal statement?
- Does the law school allow military recruiters on campus? If so, what was the basis for this decision? Was the law school or its parent university threatened with the loss of federal funding, or otherwise “compelled” to allow the military to recruit? What specific ameliorative efforts has the school undertaken?
- Does the school provide law school information to local LGBT undergraduate organizations?
- Does the law school provide an informational brochure specifically for LGBT students?
- Does the law school host LGBT information sessions or receptions as part of its open house or orientation?
- Does the law school ask currently enrolled LGBT law students to call or write LGBT admitted students?

Source: LSAC Web site.

Acquiring knowledge is the key to making wise decisions; so stress with advisees the need to begin the research process early. It will take time to gather information from each

school on an applicant's preliminary list, but the time expended will be worth the effort. Advisees should be warned against making assumptions about whether or not they will be afforded an opportunity for the kind of experience they're seeking at *specific* schools. Precursory judgments adopted in lieu of fact-based analyses may very well be based on false perceptions, rumors, or unfair conclusions related to a variety of factors, including a school's particular affiliation or geographic location. For a good opportunity to speak directly with law school representatives, advisees should attend one of the Law School Forums. Another important part of this process is making direct contact with current LGBT law students and asking them specific questions about their experiences. Law school admissions staff should be able to refer your advisees to LGBT law students.

Statistics reveal that most lawyers establish residency and enter the job market within a couple of hundred miles from the location of their law school. LGBT applicants who are aware of this likelihood may decide to give chief consideration to factors related to the living environment. These factors may include the following: whether the state has an anti-gay discrimination statute; whether there is an active LGBT chapter of the bar association or a specific service organization; whether they prefer cities to rural areas, East or West coast, North or South region, etc.

Admissions and career planning staff can be useful purveyors of information to LGBT applicants. They can also refer applicants to other staff or faculty as necessary. For example, LGBT applicants can obtain from staff detailed information about gay-related clinical experiences, and about services provided during the job preparation and application processes, including the extent to which the career planning office reaches out to the LGBT student population.

### **The Application Process**

An important decision for many LGBT applicants is whether or not to be out during the application process. Some applicants do not want to make their sexual orientation an issue, to put themselves in a position of having to defend their status, or to give people in positions of power an opportunity to judge, reject, or condemn them. Even though they may be open about their sexual orientation in virtually every aspect of their daily lives, they may be fearful of suffering an adverse impact if they make a disclosure during the application process. Pre-law advisors can attempt to minimize this fear with the fact that blatant discrimination is rare in the admissions process.

Some applicants opt to be out during this process for a variety of different or interrelated reasons. The decision may be based on what an applicant hopes to accomplish with a law degree, or the applicant's diligent involvement in a gay-related organization during college or post-graduation. Or they may simply believe that for the sake of being honest, of not being assumed a straight person, they will affirmatively raise the issue.

Once advisees have completed their research process and analyzed the factors important to them, the out or in decision belongs solely to applicants. Advisors should respect the informed choice of advisees. Rather than telling applicants *what* to communicate, advisors can offer guidance to them about *how* to best communicate what they want to say.

### CONCLUSION

Following the lead of educated, reform-minded leaders of other minority groups in our country's history, equal-rights lawyers and advocates labor to increase awareness of relevant issues, address discrimination, and promote equal opportunity for LGBT people. For example, the National Lesbian and Gay Law Association now has a seat in the ABA's House of Delegates. Law students may join the Association's law student division. The Association sponsors the "Lavender Law Annual Conference" for lawyers, judges, and students, with monetary subsidies for students to attend the conference. In addition, the American Association of Law Schools has an active LGBT issues section. In the realm of state-sponsored continuing legal education, the bar in many states now offers programs on legal issues germane to sexual orientation.

Whether or not advisees are going to law school to become or continue to be proponents of civil rights for LGBT persons as a class, or to serve LGBT clients, you should be prepared to provide both general and specific information to them. Accurate data on the percentage of law students and lawyers who are LGBT is not currently available. We do know, however, that LGBT students are enrolled in our ABA-approved law schools, and that LGBT lawyers practice and specialize in all areas of the law in every state in the country. As a pre-law advisor, you can work with LGBT advisees to address their concerns and maximize their potential by providing them with essential information, dependable advice, and opportunities for forthright discussion.

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Thanks to Jim Leipold, former member of the senior management team at LSAC and current executive director at NALP, who provided helpful information and advice; and to Anne Brandt, associate executive director for education & prelaw programs at LSAC, who authorized references to and quotations from LSAC material.

## **RESOURCES**

|  |   |
|--|---|
| National Association for Law Placement   | <a href="http://www.nalp.org">http://www.nalp.org</a>     |
| Human Rights Campaign                    | <a href="http://www.hrc.org">http://www.hrc.org</a>       |
| American Bar Association                 | <a href="http://www.abanet.org">http://www.abanet.org</a> |
| Law School Admission Council             | <a href="http://www.lsac.org">http://www.lsac.org</a>     |
| National Lesbian and Gay Law Association | <a href="http://www.nlgla.org">http://www.nlgla.org</a>   |



# **VI. THE PRE-LAW ADVISOR'S GUIDE TO THE INTERNET**

**By Charles Longley**

**(Revised for this edition by Dom DeLeo)**

## **INTRODUCTION**

The Internet offers pre-law advisors a range of professionally useful information from primary sources such as LSAC, ABA, NALP, and the law schools themselves. LSAC offers a comprehensive website for pre-law advisors at <http://www.lsacnet.org/> The ABA currently has a Toolkit for pre-law advisors on its Web site (<http://www.abanet.org/>). This chapter covers a variety of Internet resources. Under each heading, examples are given of Web sites pre-law advisors might find useful along with their URL addresses. At the end of the chapter, all of the URL addresses referred to in the text are listed. New sources will undoubtedly come online in the future and some extant sites may disappear. The two best sources that can be used to stay up to date on Internet resources are NAPLA's Web site (<http://www.napla.org>) and PLANC's Web site (<http://www.planc.org>).

## **E-MAIL**

NAPLA annually publishes its Membership Directory which includes e-mail addresses for all current members, and other regional APLAs also maintain membership lists which often contain e-mail addresses. The two directories published by the Law School Admission Council also contain e-mail addresses. *The Pre-law Advisor Directory* has e-mail addresses for pre-law advisors at undergraduate institutions nationwide, while *The Law School Admission Directory* includes e-mail addresses for deans, admission officers, and financial aid directors at all ABA-approved law schools.

## **LISTSERVS**

Members of a Listserv engage in an electronic roundtable using e-mail. You do not have to take part to observe the exchanges. One such list for pre-law advisors is operated by Elon College pre-law advisor Nim Batchelor. According to Prof. Batchelor, the list is "a forum for the exchange of views, experiences, techniques, and professional information pertaining to the advising of pre-law students and the running of a pre-law program." To

sign up, address an e-mail message to [majordomo@elon.edu](mailto:majordomo@elon.edu) and in the body of the text type: "subscribe prelaw-l" followed by your e-mail address. Information on this Listserv can also be found on the PLANC Web site noted above.

## PRE-LAW MATERIALS ON THE WEB

The following resources are located on the World Wide Web. Some pre-law advisors may find it helpful to compile a list of Web sites for distribution to their advisees. However, applicants should be cautioned that Internet surfing is no substitute for personal professional pre-law advising.

There are several ways to locate materials geared to pre-law interests. The most rudimentary approach is to use a search engine (such as <http://www.google.com> or <http://www.msn.com>) and enter "pre-law." The liability of this method is that you will be given a list of links and many will be of only marginal utility. Alternatively, you can connect to a specific pre-law resource. Several examples are noted below.

### A. Pre-Law Handbooks and Clubs

Some pre-law advisors have made their pre-law materials available on the Web and several undergraduate programs have mounted home pages for their pre-law clubs. While it would be a tenuous proposition to suggest that "one size fits all" when it comes to pre-law advising, exploring the variety of sources available via the Web may serve to inform pre-law advisors of their colleagues' endeavors.

The *Official Guide to ABA-Approved Law Schools* can be accessed directly through the LSAC at <http://officialguide.lsac.org/docs/cgi-bin/home.asp>. An excellent site providing links to a variety of electronic guides is the Internet Legal Resources Guide at <http://www.ilrg.com/>: once you access this home page, select the pre-law student services option. Another comprehensive resource can be found at the pre-law Web site at the University of Richmond (<http://oncampus.richmond.edu/academics/as/polisci/prelaw/>). The NAPLA Web site (<http://napla.org>) will also post links to selected sites. If you have a site that you would like to recommend to your colleagues (including your own!), contact NAPLA's Webmaster directly from our home page.

Pre-law advisors who contemplate launching sites connecting to these electronic resources are urged to proceed warily. Making access to your pre-law materials available over the Web could result in fewer advising contacts. Having accessed the Web, those who

could benefit from counseling may not feel the need to make an appointment. Further, you should alert your students that the information provided in some venues can be sadly misguided.

### **B. Databases and Rankings**

The Boston College Online Law School Locator (an electronic version of the familiar BC Range Finder) uses a matrix to array 25<sup>th</sup> to 75<sup>th</sup> LSAT and GPA percentiles for the most recent first-year class attending ABA-accredited law schools. The Locator includes links to the law school sites and an advanced search feature to target specific states or schools. The address for the Locator is <http://www.bc.edu/LawLocator>

A compilation of various rankings can be reached at the home page of the Internet Legal Resources Guide (<http://ilrg.com/schools.html/>). As noted earlier, this site contains a number of law-related headings and links.

The annual ranking produced by *US News & World Report* is also available on the Web. Connect to the home page (<http://www.usnews.com>) and then use the links to graduate school rankings.

## **LAW SCHOOLS**

One of the most useful features of the Web is the ease with which individual law schools can be accessed. Advisees can expand their search with little additional effort and using the Internet to contact schools is very appealing to advisees. Not only does virtually every school now provide an e-mail connection so that admissions materials can be ordered electronically, the application itself to be done online. Some schools will even waive application fees for online applicants.

Typically, each home page provides an overview of the school, the staff and curriculum, admissions and financial aid information, career services, placement data, and other topics (such as journals and student organizations) of interest to potential applicants and even some multimedia links. Several schools provide cost of living information with links to additional sources that further describe the area. The Web provides applicants with a quick and easy way to check programs they otherwise might ignore.

There are several methods that can be used to access law schools. Perhaps the easiest way to connect with law schools is to use a source that provides links to specific schools.

The most useful such site is provided by the Law School Admissions Council at <http://www.LSAC.org> where a link to every ABA-approved school can be found. The Internet Legal Resource Guide (<http://www.ilrg.com/pre-law.html>) also provides links to a large number of individual schools.

## **ORGANIZATIONS**

The Law School Admission Council home page enables users to register electronically for its applicant services, including the LSAT and the LSDAS, as well as request other legal education related information online. The American Bar Association is accessible at: <http://www.abanet.org/>. Advisees may find the link to the ABA law student division of particular interest.

## **FINANCIAL AID**

The Department of Education maintains a home page that contains links to federal financial aid programs (<http://www.ed.gov/>). Students can apply over the Web or download the FAFSA Express electronic aid application from this address.

There are many financial aid vendors on the Web. While some are government sponsored, most are private agencies that charge a fee for service. One very good location for general financial aid is: <http://www.finaid.org>. This home page contains useful resources, including a program for estimating the expected family contribution. The Access Group, a non-profit organization providing loans for graduate and professional education, offers a number of publications dealing with credit and debt management which can be accessed at their Web site: <http://www.accessgroup.org/>.

## **MINORITY WEB SITES**

The LSAC Web site offers comprehensive information on Minority Perspectives (<http://lsac.org/lsac.asp?url=lsac/minorities-in-legal-education.asp>) including a "frequently asked questions section", articles and links to minority legal organizations. The LSAC site also offers MILE (Minorities Interested in Legal Education) to provide information on preparation and application for legal education to first-year and second-year undergraduate students. The Council on Legal Education Opportunity (CLEO) offers a variety of programs designed to assist low-income, minority, and disadvantaged students, including summer

institutes for people about to enter law school, as well as a College Scholars Program designed to assist underclassmen still in college. Information on these can be accessed at <http://www.abanet.org/cleo>.

### **PRIVATE PRE-LAW SERVICES**

It is appropriate for pre-law advisors to remain apprised of what private commercial pre-law operations are marketing. Two such vendors, in alphabetical order, are Kaplan (<http://www.kaptest.com>) and Princeton Review (<http://www.review.com>). Applicants are likely to be familiar with the test-prep services and pre-law advisors may wish to review what is posted. There are many other services on the Internet; interested parties will find links from several of the addresses already cited; caveat emptor.

### **CONCLUSION**

This chapter has provided a general introduction to electronic resources for pre-law advisors. References cited here are for illustrative purposes only; no personal or organizational endorsement is implied or intended. The information presented here is subject to change. The usefulness of the Internet for pre-law advisors will endure. We must make sure that our advisees recognize and appreciate the limitations of this technology.

## LIST OF URL ADDRESSES

### Search Engines:

[www.google.com](http://www.google.com)

[www.msn.com](http://www.msn.com)

### Pre-Law Organizations:

Northeast Association of Pre-Law Advisors (NAPLA) <http://www.napla.org>

Pre-Law Advisor National Council (PLANC) <http://www.planc.org>

### Pre-Law Guides:

*Official Guide to ABA-Approved Law Schools*

<http://officialguide.lsac.org/docs/cgi-bin/home.asp>.

Internet Legal Resources Guide <http://www.ilrg.com/pre-law.html>

University of Richmond <http://oncampus.richmond.edu/academics/as/polisci/prelaw/>

### Databases and Ranking:

Boston College OnLine Law School Locator <http://www.bc.edu/LawLocator>

Internet Legal Resources Guide <http://ilrg.com/schools.html/>

*US News & World Report* <http://www.usnews.com>

### Law Schools and Legal Education:

Law School Admission Council <http://www.lsac.org>

American Bar Association <http://www.abanet.org/>

### Financial Aid:

Department of Education <http://www.ed.gov/>

FinAid <http://www.finaid.org>

Access Group <http://www.accessgroup.org/>

### Minorities:

LSAC Minority Perspectives

<http://lsac.org/lsac.asp?url=lsac/minorities-in-legal-education.asp>

Council on Legal Education Opportunity (CLEO) <http://www.abanet.org/cleo>

### Commercial Services:

Kaplan <http://www.kaptest.com>

Princeton Review <http://www.review.com>

## VII. ADVISING THE APPLICANT OF COLOR

by Dennis Shields

*I have been asked to update this piece, which I wrote a few years ago at the request of SAPLA for publication in their pre-law advisor manual. I have decided to leave it mostly unchanged except for a few minor revisions and simply add some commentary with these opening couple of paragraphs.*

*The major event that has occurred in the intervening years since I wrote this article is the US Supreme Court decisions in Grutter v. Bollinger and Gratz v. Bollinger. Thus, my comments about that issue in the earlier version of this article are dated. The highest court in the land has now approved race conscious admissions policies by colleges and universities. The mission of higher education in American society is multifaceted. In its decision, the Court recognized that higher education has a special role in our society. In my view, the decision made clear that academic judgments about how to best accomplish the educational mission are, with some limitations, best left to individual institutions to make. The Court acknowledged that we are in the best position to make these judgments that are central to our core mission. We need to be thoughtful and careful about how we define and pursue our mission and objectives. The Court went on to note a bundle of reasons justifying some race consciousness in admission decision-making. And importantly the Court provided some boundaries for the methodology of the use of race in our decision-making. Broadening access to higher education in general and in particular for graduate and professional school education, I am convinced, ought to be a central concern of our institutions of higher education. This concern for broadening access is true regarding students from groups representing all walks of American life that are under-represented in our student bodies and, I would argue, we ought to have a critical concern for broadening access particularly with regard to advisees of color.*

*Each of us who work in higher education feels the tugs of the competing demands on*

*our time caused by the different aspects of the mission. One of my primary objectives is to work to assure that higher educational opportunity is within the grasp of all segments of society. My commitment is personal and long standing. While my twenty-four years in this business have not dimmed my zeal for or commitment to working to broaden access to higher education, they have taken the edge off my willingness to expect the same level of commitment from others in the academy. Still, I hope all of us see expanding opportunities for applicants of color as a part of the mission of higher education. I also understand that the interest and commitment in this area must be personally and institutionally driven and not imposed upon individuals. I hope you will take my remarks in this section in the spirit they are offered. That spirit, for those with the interest, is some friendly advice from a colleague about how to be effective in working with applicants of color. Each of us can make a difference if we try. (Dennis Shields, November 2004)*

My task with this article is to provide some practical advice for advisors who are charged with advising undergraduate applicants of color whose goal is to gain admission to law school. Advising people of color is not so much different from advising others. Some extra efforts to reach the students of color on your campus so that they receive the benefits of your services are the most critical element of the work with these populations of students. Early and continuing outreach is central to being effective with students of color who oftentimes operate outside of the mainstream on many campuses.

Law Services has developed a wide array of materials, much of it available to pre-law advisors either free or at a nominal fee that is directed towards students of color. If at all possible, attending Law Forums and APLA meetings regularly will assure the advisor of being well informed about the process of gaining admission to law school and thus making the advisor a valuable resource to their advisees.

### **Affirmative Action**

These are interesting times. Affirmative Action is under sustained attack. There is no doubt that a reasonable person might assume there will be less opportunity as opposed to more in the future for applicants of color. This could well be the case, but I try to keep a

more positive outlook. First, because commitment and hard work by undergraduate advisors and law admissions committees and professionals can stem this tide. And secondly, because I have faith in applicants of color to do what it takes to achieve their goal of becoming lawyers.

Legal education was slow to see the merits of working hard to find and recruit students of color. Most law schools can trace the origins of school-specific efforts to attract students of color (most often at that time this meant African Americans) to the late 1960's. Those efforts picked up considerably during the 1970's and received the imprimatur of the American Bar Association and the Association of American Law Schools (the two accrediting bodies for law schools) in the 1980's. The Law School Admissions Council (LSAC) joined the fray in the late 1970's and has since contributed in a number of ways to the national efforts to increase the size of the applicant of color pool.

I say all of this to make the point that legal education is seriously committed to making sure the legal profession is open to persons of all races and ethnicities. The current controversy may cause some rethinking of admissions policies and procedures and more careful thought in the admissions process, but this commentator does not believe a wholesale retrenchment is in the offing on the part of law schools on this issue. There will be some uncertainty on everyone's part, applicants, pre-law advisors, and law schools, for the next couple of years. This will all shake out and make as much sense as ever over time.

### **General Observations**

Do not make assumptions about applicants of color. Their life and educational experiences will be as varied as the majority advisees you serve. In many ways, the counsel they need will mirror that of your other students. They will need assistance in determining their career interests, their course selection, their application strategy, and other matters. The real difference may be that you will often tend to see them later in the process than would be most beneficial. At many colleges and universities, the students of color have completely different and parallel support networks from that of majority students. In some cases, the advice they get about law school and the application process will be excellent.

Often, however, this is not the case. And this is where special efforts at early outreach on the part of pre-law advisors can be especially effective.

Following my own caveat not to apply generalized assumptions about students of color, there are still issues that should be explored with students after discovering something of the individual student's background. It will be useful to know something of the educational background of the parents of the student because this will alert you to the kinds of advice you provide to the student. First-generation college students, for example, may not be clued into all of the services available on your campus to assist them in their educational goals. They may be less likely to seek assistance for this reason when they have financial, academic, or other personal problems. Depending on the nature of the students' high school education, even students with strong academic records entering college may not be as well prepared for some of the introductory courses they will face early in their academic career in college. Advising them of tutorial opportunities and other on-campus programs to deal with these kinds of issues can make it possible to avoid early disasters that hurt the students' academic record and may present problems later when applying to law school.

### **First-Years**

Early intervention is critical for any student. The earlier in their academic career they find a goal and begin working towards that goal, the more likely they will be successful. This is true even where the goal changes down the line. Systematic outreach to first-years is especially helpful. If it is routine for students to indicate an interest in pre-law or law school during their first year on your campus, contact them through mail to inform them of the services available through your office. On many campuses, there are minority-affairs offices (there are many different labels and permutations to these entities, but you should be able to identify them easily on your campus); contact with these offices and/or joint programming with these offices can be a good way to reach the targeted students. It would be useful to find out just who in the undergraduate admissions office has the most contact with students of color and meet with them and encourage them to send interested

students your way. Thinking about and developing ways to bring students into the fold early on is time well spent.

Once you have contact, what should you do? Like all students, this population will have all manner of notions of how to get into law school and what path to follow. Of course, as with all students, they need to be told there is no one ideal route to gaining admission to the law school of their choice. Strong academic work and a good LSAT score are the most important factors. Strong academic work takes a consistent commitment and discipline in study habits. Balance the academic efforts with a few extracurricular activities and factor in the need on many students' parts to work to cover some of their educational costs and the potential lawyer has a very full plate. The goal at this stage is to get students off to a good start academically.

My experience with African American students leads me to raise a particular issue that is sensitive. There may be African American fraternities and sororities on your campus. These entities can truly enrich the lives of your students and often engage in good works on campus and in the community. The problem arises during the pledging process. These pledging activities may be so taxing on the student's time that the academic work not only suffers, it crashes. I take the tact of not discouraging (and even encouraging) participation in these Greek activities, but reminding the students that their academic work is the standard by which they will be judged in gaining admission to law school. Thus, if they anticipate pledging during a particular term, they need to keep in mind the time burdens this will place on them and plan their academic schedule and other responsibilities accordingly so as not to suffer a drop in the quality of the academic performance. This can be a very touchy subject and should not be discussed casually: the last impression you want to leave is being anti-Greek.

### **Sophomores**

Sophomores should be well on their way to deciding upon a concentration/major. They need to be making adequate progress towards fulfilling the general education requirements for the bachelor's degree. Early in the year it is important to review their first-

year academic performance and identify any aspects of their records that may lead to problems. Poor performance in prerequisite courses needs to be addressed before advancing to the next course in the sequence.

Stressing the need to take courses that develop the skills necessary for law school is very important. Strong writing skills are essential to nearly all professions and, I think, an important skill for any student in college. Becoming facile in the use of computers as an aid to writing is critical to law students and lawyers these days and as such is a skill which should be developed at the collegiate level by all aspiring law students. Skills at critical analysis and logical thinking are necessary for the law student and admissions professionals and committees review applicant files for evidence of strength in these skill areas. Courses that require term/research papers should be encouraged in the junior and senior years so the foundation for good writing skills should be laid with academic work in the first-year and sophomore years.

## **Juniors**

The junior year is the most critical year in a lot of ways. By the junior year, general education requirements should have been fulfilled by the student so that they can concentrate their academic attention on the chosen discipline. It is especially important that the trend in academic performance be strong in this year as it will in many cases be the last complete year of academic work a law school will have available to review during the application decision-making process. Students should be advised to make sure they develop their contacts with their professors since the letters from professors within their disciplines will be the ones that are most persuasive in the admissions process.

Two other aspects of the admission process should begin to be addressed during the junior year. First, this is the year to become serious about investigating law schools to which to apply. The fall of the junior year is a good time to begin this process. The search should be broad enough to include a wide range of law schools for two purposes. Learning more about all law schools will make the student a better-informed applicant/consumer and

by being so informed the student should gain a better understanding of the places where she/he will be competitive for admission.

The junior year is also the time to begin thinking about the LSAT. I am a big proponent of the proposition that the LSAT should be taken during the summer after the junior year in most cases. The summer is good because then the preparation does not interfere with other academic work and the results are known early enough to make considered decisions about where to apply for admission.

It is absolutely essential to impress upon the advisee the importance of being well prepared for the LSAT. The place to start is a regimen of disciplined self-study early on and then a careful assessment of whether the investment in a prep course would be useful.<sup>1</sup> Stressing the importance of doing as well as possible without a specific goal for a score is important.

By the time the senior year begins:

- The LSAT should have been taken (or should be taken during the early fall test administration at the latest),
- faculty letters of recommendation should be arranged,
- drafts of personal statements ought to be prepared, and
- the list of law schools under consideration for application should be narrowed to a manageable number.

## **Seniors**

The primary task for the senior year in the ideal is the completion and submission of the applications to the law schools. As with any student, the applicant should apply to a

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<sup>1</sup>The prep kits available from Law Services are excellent self-study tools. If cost is a barrier to taking a prep course the advisor may be able to work with the course provider to allow participation at a discount for students without the funds to pay the full costs.

manageable number of schools (five to eight, in my estimation). The schools should cover a range in competitiveness such that they include the reach school but also assures the prospect of admission to a school that meets the needs and concerns of the applicant. The advisor can be most helpful to the student in making judgments about where to apply in an informed manner. The student should be encouraged to engage in careful research and contact with schools, but the advisor can be helpful by making contact with the schools, too. Making yourself available to review the applications including personal statements/essays will help assure the students submit applications that are as strong as possible. Providing some programming to instruct students on the nuances of the application process is useful in this regard and again engaging in outreach to students of color can help assure that no students are left to discover the ins and outs of the application process on their own.

## **Conclusion**

I hope the foregoing is helpful as you go about your work advising students and helping them along their chosen career path. What I have provided is a starting point, of course, and the advisor with some creativity and adaptation can truly make a difference for applicants of color. I encourage you in the task and offer my assistance should you feel I may be of aid to you in the future.