UNM School of Law
September 16, 1974
Faculty Meeting
4:00 p.m., Conference Room

MINUTES

Present: Dean Hart; Associate Dean Desiderio; Assistant Dean Blackwell; Professors Bingaman, Ellis, Fink, Goldberg, Greenfield, Martinez, Minzner, Muir, Norwood, Olivarez, Ragsdale, Reynoso, Romero, Simson, Teitelbaum, Utton, Walden, Wooliver; Students John Adler, Jake Sanchez, Steve Valdespino

Dean Hart called the meeting to order and attention was given to the following:

1. Minutes of the meetings of July 22, August 21, and August 26 were approved.

2. Dean Hart spoke briefly regarding the budget.

3. Professor Ellis further explained the Report of the Admissions Committee (attached), and discussion followed, with enlightening comments from the dean and others.

   The discussion of formulating an admissions policy or statement is to be continued at the next meeting.

The meeting was adjourned.

Respectfully submitted,

Louise R. Camp

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Secretary

THE UNIVERSITY OF NEW MEXICO

DATE: September 16, 1974

TO: Law School Community

FROM: W. H. Ellis

SUBJECT: Admissions Procedure

In meetings and discussions over the past month and a half the admissions committee established the procedure by which it would like to choose the class entering in 1975. The procedure contemplated is different than that used at the law school in the past. The committee hopes by this memorandum to explain to the law school community the changes that are contemplated.

Admission Procedure in the Last Several Years

In the recent past we have had two groups of admittees: So-called statistical admits and special admits. The statistical admit group was divided into three subgroups according to predicted first year averages (PFYA). Those at the top of the PFYA curve were admitted solely on that basis. Those at the bottom of the curve were denied on that basis, and those in the middle were put on stand-by. Each applicant on stand-by was requested to submit additional information to assist the committee. Additional information consisted principally of recommendations and a written statement from the applicant if the applicant chose to do so. As additional information was received, the stand-by files were circulated to the admissions committee. Each committee member examined the file and voted to admit or deny the applicant. This was not done in a meeting, but rather with each committee member working alone. Stand-by applicants who received three out of five possible votes to admit were admitted. The rest were either denied or retained on stand-by. Committee members had complete discretion in selecting the criteria they would use in voting on stand-by applicants. However, there was apparently a general feeling that PFYA should be given little or no weight. Working individually, most members of the committee tried to chose stand-by applicants that would give the class diversity in areas they thought important.

All applicants admitted were sent a letter asking them to return the enclosed postcard having marked one of the following three categories: I will attend; I will not attend; I haven't yet decided but I will decide by _____. As these cards were received, we began to get a more accurate idea of whether we would exceed or fall short of the target number. Some applicants were retained in stand-by in case it became apparent that we would fall short. Of course, no remedy was possible if we exceeded the target number.

Most, but not all, the special admit group were minority applicants. The names of applicants were given to law student organizations representing the ethnic group to which the applicant belonged. Each such group returned their recommendations to the committee, often ranking the applicants in order of their preference. Having all of the conventional admissions criteria plus the input of the applicable student group, the committee selected the number of special admit applicants that could be admitted. PFYA proved to be an important consideration in these decisions.

The Committee's Proposals for Selecting the Class Entering in 1975

Last year's committee advanced our deadline for submission of the application form to the law school to February 15, 1975. This has already been published in the National Prelaw Handbook. We would like to add to this a deadline for having the admissions file complete by March 31. This would enable us to abandon the rolling admissions practice of past years and to put the entire class together during the month of April. (However, a great deal of work could be done between February 15 and March 31.) The committee would like to use the McBee file card system which is already being used by several law school admission offices. These are large cards with over 200 tabs around their edges. Each tab has a hole already punched in it. Information about an applicant will be indicated on the card by use of a special tool which cuts out the tabs not applicable and leaves the hole in those that are applicable. We can then sort our admissions group on basis of any variables for which we have so recorded the data. This is done simply by inserting a steel bar through the applicable tabs and lifting out the cards in which the hole is still intact. For example, we could at any time determine the number of Blacks in our applicant group and then resort that group for the number with LSAT's in the 700's, 699 to 650, etc. We could as quickly determine the number of Blacks in our tentatively admitted group and resort that for any criteria we desire.

In building the class in this way, we would make constant comparisons between the profile of our applicant group, our tentatively admitted group and the state and national populations.

Every applicant would be informed that he or she would be admitted or denied prior to the deadline of May 15. There would be no stand-by group. We would, however, try to keep a small "waiting list" (about 12 applicants) by asking those in the top of the denied group whether they would allow us to put them on such a list in case we underestimated the percentage of admits that decide to enroll.

Criteria for Admission

In pursuing this procedure, the committee would like to do away with separate admission tracks. We would put minority applicants in the hopper with everyone else and adopt an open-ended list of criteria by which admission decisions would be made for everyone.

Our threshhold criteria would be PFYA. First, we would set a PFYA floor above which all applicants would be considered intellectually capable of benefitting and graduating from law school and passing the bar. Applicant files below this floor would be examined by only one member of the committee in the search for extraordinary circumstances that should cause us to discount the PFYA.

The committee feels that approximately one-fourth of the class should be made up of people with the highest possible intellectual aptitude for law study,

because of the positive effect this will have on the educational experience of the entire class. Therefore, we would set a very high PFYA threshhold above which applicant files would be examined by only one member of the committee, again in a search for extraordinary factors that indicate we should discount the PFYA. We would attempt to draw these lines so that no more than one-third of the class would be so chosen. The rest of the class would be chosen from the remaining applicant group using the following criteria, plus anything else that appears in an individual file and is too unusual to be included in a list of criteria.

1. PFYA
2. Sex
3. Ethnic Group
4. Age
5. Resident, Non-Resident
6. Size of Hometown
7. Size of High School Graduating Class.
8. Graduate Degrees
9. Business or Professional Experience

Use of Criteria

Acting as a committee, we would start with a profile of our applicant group. For some criteria, a comparison with the population of the state would roughly indicate the weight to be given the criteria. For example, while definitely not wanting to replicate the state population for factors like ethnic group, part of state raised in, and population of hometown, the committee feels there is something wrong when the law school population varies greatly from the state population for factors like these. It would never be possible to say how much was enough and how much was too much, but it is nevertheless possible to say, "we are too far different from the population of the state or county." The extent of our ability to respond to such feelings is of course dependent upon the profile of our applicant group.

As a result of the committee's approach, factors such as these will tend to be more important as our tentative admit group varies widely from the state or national population for the factor and will tend to become less important as our tentative admit group closely approximates the population for that factor. For other factors, such as age, we would expect the entering class to be at substantial variance with the population generally. Nevertheless, we are going to save data and the ability to sort for as many factors as we think might conceivably be useful to future admissions decisions, or to development of greater insight into our application group.

Soft Data (Letters of Recommendation and Statements by the Applicant)

The committee would like to request, or at least give applicants the opportunity to submit, soft data with their initial application. Since the committee wants to select the class after all information is before us, there may not be

schools in the present era of heavy enrollment pressures, enrolls more than the optimum number of students from the standpoint of sizé of faculty and building capacity. During the fall semester of 1973 the school had 920 students in a building which was crowded at 750 and with a faculty which was insufficient at 600. At a minimum, this means inconvenience resulting from crowded facilities and the inability to get into certain courses at the time the student might like to take them. Another product of heavy enrollments in law schools throughout the country in recent years is the tightening job market for lawyers. Both the Wisconsin Stewart Committee which recommended against a second state supported law school in Wisconsin (November, 1972), and the American Bar Association Task Force on Professional Utilization (August, 1972) which considered employment prospects nationally, warned that there may not be sufficient openings in the near future in some traditional fields of legal practice or in some geographic areas for all those who may seek such positions.

A GUIDE TO APPLICANTS

The volume of applications to law school by well-qualified applicants continues far in excess of capacity. Applicants need to know, therefore, whether they have a reasonable possibility of acceptance, and how best to present their applications. In early 1973, the Law Faculty adopted the following statement relating to admissions criteria:

"In deciding to accept an application for admission to Law School, the Admissions Committee works with written materials in the applicant's file. While admissions personnel are anxious to answer any questions an applicant may have, the interview as a device for gaining information about an applicant or as a device for the applicant to "sell himself" is not a part of the admissions process. We require that the applicant provide in writing for his file whatever he wants the committee to consider. The file will contain, at a minimum, the completed application form, record of residence form, copies of college transcripts (as reproduced by LSDAS), the LSDAS summary of college grades, and the report of LSAT scores. We do not require references or letters of recommendation, but are glad to receive such letters, especially if they speak to the applicant's ability, intelligence, diligence, imagination, and similar qualities, rather than to his family background or personality. We do not require any personal statement by the applicant (beyond the bare information in the application), but we welcome and carefully consider whatever an applicant thinks important enough to present to us, whether on the back page of the application form or separately.

"The Admissions Committee has agreed on the following as a useful, though necessarily imprecise, statement of policies and criteria applicable in making admissions decisions based on the evidence above described.

"The starting-place is a prediction index produced by use of a formula involving two statistically proven predictors of law school academic performance: Cumulative undergraduate grade-point average (GPA) and score on the Law School Admission Test (LSAT). Two other numerical factors are statistically proven as predictors and are carefully considered, though not part of the basic formula. These are the separate Writing Ability score accompanying the LSAT score, and the mean LSAT score over the past eight years achieved by all students from the applicant's college who took the LSAT (a figure which provides a rough indication of college quality).

"Because of the volume of applications to be considered, the committee needs a starting place for the examination of each file. These numerical factors provide a starting point for evaluation of a file, and will be determinative in the absence of significant other factors. However, we know that the numerical predictors, even if optimally combined, provide no better than substantial statistical correlation with law school performance, and that, in some individual cases, there may be no correlation at all. We also believe that probable quality of law school academic work is not the only basis on which applicants should be selected for admission.

"Therefore, we also consider a number of what might be called 'non-numerical' or 'non-quantifiable' factors, some of which seem relevant to probable academic performance and some which are not. Some principal factors which seem to us sufficiently predictive of probable academic performance in Law School (we consider them in that light even without full statistical proof of their predictive power) are:

1. **Trend of college grades.** An applicant who started poorly in college but performed very strongly in later college years is judged more favorably than another with the same GPA but a level of declining record.

2. **Letters of recommendation.** Occasionally a careful, thoughtful letter from a teacher or employer tells us enough about the intellect, imagination or diligence of an applicant that we judge the applicant's prospects for academic success better than mere numerical factors might suggest.

3. **Graduate Study.** The mere experience of graduate study does not, in our judgment, significantly increase the quality of law school performance. But strong recent graduate work plus a strong LSAT may suggest that a weaker college record of several years ago can be largely disregarded.

4. **Time interval between college graduation and application to law school.** We have some evidence that applicants at least a year out of college, especially if they have a strong recent LSAT score, will have a better academic record in law school than their numerical credentials suggest.

5. **Performance at Wisconsin Law School of students from applicant's college.** We formerly gave some weight to our estimate of the quality of the applicant's college, if we had any basis for judgment. This factor is now considered in numerical form, as noted above, and therefore should not be weighed again. However, our records of the actual performance of our students from various of our major feeder colleges may suggest a pattern so pronounced that it should not be wholly ignored.

6. **College grading and course selection patterns.** We examine transcripts individually. If an applicant has clearly followed an unusually easy or difficult pattern of courses, we try to take it into account. If an otherwise top record combines with 10 credits of *D* or *F* in Russian to produce a middling GPA, we try to take that into account. Also, information is available about grading patterns and distributions at most colleges. A 3.0 record at one college may be clearly harder to obtain than at another college of otherwise similar quality. We take such differences into account. An occasional exercise of a college pass-fail option does not affect our evaluation of the GPA. However, a heavy load of ungraded, pass-fail, or credit-no credit work tends to impeach whatever GPA remains, forces a regrettably high reliance on the LSAT score, and creates a need for careful and candid letters of evaluation from college teachers of the applicant.

7. **Outside work while in college.** A full-time or extra-heavy part-time work load (or, rarely, an extraordinarily heavy load of extra-curricular activity) may suggest that the applicant would have had a better GPA with a lesser load. We consider this factor in close cases.

"In addition to the above non-numerical factors, which may persuade us to modify or even occasionally disregard the prediction index as we try to judge how an applicant will perform in law school, there are other factors which are unrelated to the prediction of law school academic performance, but which nonetheless influence selection for admission. Examples of these non-quantifiable, non-predictive factors which we judge significant are:

1. **Minority status.** The law school has an established program for giving special admission consideration to applicants from minority groups historically disadvantaged and underrepresented in law schools and the legal profession. It is clear that such groups include Black American, American Indian, Puerto Rican, and Chicano. Applicants from other minorities who claim to be similarly situated have their cases considered on an individual basis by the Legal Education Opportunities Committee as well as by the Admissions Committee. Even members of minority groups clearly eligible for special consideration are carefully screened so that only those with a reasonably high probability for academic success are accepted.

Examples of non-quantifiable, non-predictive factors (influencing admission) continued.

2. **Unusual cultural background.** Even outside the special minority admission program, the Admissions Committee seeks diversity among the law student body. A fully qualified applicant from an unusual or disadvantaged background, even though not eligible for the Legal Education Opportunities Program, may therefore occasionally be selected ahead of a less unusual applicant who has still stronger academic credentials.

3. **Geographical diversity.** Other factors being equal, a fully qualified applicant from an area of the country relatively unrepresented in our student body will receive slight preference in selection.

4. **Wisconsin residency.** By instruction of the law faculty, we are limited to approximately 20 per cent nonresidents of Wisconsin in each entering class. The practical effect of this is to impose somewhat higher standards on nonresident applicants. The Law Faculty and the Admissions Committee strongly believe in substantial out-of-state representation in the student body. The limitation is designed as a compromise between that belief and some strong pressures in the state to limit drastically or forbid nonresident enrollment in a time of high demand by residents for places in the Law School.

5. **Acceptance in a prior year.** Acceptance at Wisconsin Law School is good only for the year for which accepted, even if the circumstances preventing attendance were beyond the applicant's control. However, if enrollment was prevented by circumstances the accepted applicant could not control, this fact will be one factor in the applicant's favor on a subsequent application. Declination of a prior acceptance, for whatever reason, will never adversely affect a subsequent application.

6. **Diversity of experience or background.** If an applicant will provide a background of work experience, life experience, college activity, political activity, etc., which will add an additional and unusual perspective to the law school student body, this will work in his favor.

7. **Diversity of stated goals.** Our application form gives applicants an optional opportunity to express their reasons for wanting to study law. We prefer an entering class made up of individuals with many different reasons for being there. For example, when most applicants say they want to use legal training to be social reformers, a plus goes to the applicant who wants a small-town practice. When most applicants say they want corporate practice, a plus goes to the social reformer.

8. **Sex.** It continues true that women are underrepresented in law schools and in the legal profession. This situation has influenced us to favor female applicants when close and difficult choices have to be made. As proportions of women in Law School continue to increase, as we hope, this slightly favoring treatment of women can gradually disappear."

Members of minority groups are encouraged to apply through the Legal Educational Opportunities Program, a program designed to seek admissions criteria which may supplement the LSAT and GPA in the case of the disadvantaged. Over 30 students among the 300 who enrolled as first year law students in 1973 were accepted under these experimental standards. Some will similarly be accepted in subsequent years, although the standards will depend heavily on experience gained with those previously accepted.

Re-taking the LSAT. Some applicants who score poorly the first time re-take the LSAT. Ordinarily a prompt re-take produces a score about 50 points higher, so a gain less than this does not help the applicant. We recommend a re-take only when you are reasonably sure you had a "bad day" and can show major improvement on a second try.

Accepted applicants will be asked in due course whether or not they plan to attend. The Law School depends on prompt and candid answers in order to continue its policy of not requiring a deposit to hold a place in the entering class. Accepted applicants, who have not thereafter indicated that they will not attend, will during the summer receive further directions from the Admissions Office regarding registration procedures.