

increasingly regarding academics as being unable to function in the real world. Firms favour doctrine and, for obvious financial reasons, would like to shift as much professional training as possible to the schools. If the schools lose touch with the elite law firms, those firms will probably react. Whether this reaction will simply raise the clamour related to the debate or take other forms, such as reduced support or a redirection of recruiting efforts, is difficult to predict.

If the major law schools wanted to narrow the gap that separates them from the profession, they could do so by showing more foresight and flexibility in the appointment and tenuring of young faculty members. Doctrine and theory are complementary and should be used together to achieve a synergistic balance. The key to realigning the academy and the profession is to have a significant proportion of the tenured faculty who are from the profession and who address its problems. In the profession itself perhaps the best hope for reform is for the law schools to reconnect themselves with the practising bar and to train students to confront practice with dignity and professionalism.

RESEARCH

REVIEW ARTICLE

Legal education at the close of the twentieth century: descriptions and analyses of students, financing, and professional expectations and attitudes

L F Wightman

Law School Admission Council
1995

This important report and the one on women in legal education discussed in the following review

article are the first two to appear out of a planned series of publications to be developed from a national longitudinal study of legal education and entry into the legal profession in the United States, known as the Bar Passage Study. It is claimed that this study, sponsored by the Law School Admission Council (LSAC), represents the most comprehensive research into legal education ever conducted and will provide insights into law school practices and their educational consequences. Indeed, the sheer volume of data collected by the researchers is quite overwhelming, with responses from nearly 29,000 students from 155 ABA approved law schools across America.

This initial report examines only first-year law students in the fall of 1991. It seeks answers to such key questions as who is admitted to law school, how are students allocated across law schools and what are some of the social, financial and professional consequences of the selection and allocation process. However, the author contends that the focus is not merely to provide a snapshot of the characteristics of law school students at a given point of time nor is it the first attempt to study the relationships between selected demographic variables and the allocation of applicants to different law schools. Rather, the intention is to contrast the data and findings with two often cited earlier studies (Warkov and Zelan in 1961 and Cappell and Pipkin in 1975), in order to establish historical trends.

Furthermore, this first report was designed to satisfy three more far-reaching objectives: first, to provide an extensive and comprehensive statistical profile of students in US law schools; secondly, to furnish the baseline data to facilitate other research reports; and finally, to assist in formulating hypotheses and testing

theories about legal education to foster a far-reaching research program. With such a harvest of data gleaned in this project, the focus of this review article will be upon the design of the study, the nature of the analyses performed and the structure of the report, rather than the more salient findings.

The data collected originated from two sources. The LSAC operating database provided Law School Admission Test (LSAT) scores, undergraduate grade-point averages (UGPA) and selected background data, such as undergraduate degree-granting institutions. However, the principal source was a searching questionnaire administered to a population of all first-year entering students in 163 participating law schools. Perhaps because the questionnaire was in most cases distributed during law school orientation programs, the researchers were able to achieve a very high response rate of 75% (or 28,889 of the first-year law students). With the enormous volume of data obtained from these numbers, it is perplexing why no attempt was made to draw a representative sample, rather than survey the entire population. Presumably, neither money nor time were in short supply, although it is to be noted that this first report took four years to emerge from the time the questionnaire was administered.

The first chapter explains the various schemes which were used to classify the student and the law school data for the purposes of analysis. Law schools were grouped into three strata using the variable of entering-class median LSAT score. Cluster analysis was used to home in on selected law school characteristics (size, cost, selectivity and faculty/student ratio) and features of the student body (percentage minority, median

LSAT score and median UGPA). A four-tier index of socioeconomic status was developed, together with a mechanism for classifying pre-legal academic achievement and an index of undergraduate school selectivity.

Chapter two presents the demographic descriptors of the population, which inter alia highlight the striking increases in the proportion of women and students of colour across the 30 years over which trends were examined. Chapter three focuses on descriptions of how the students who made up the entering class are distributed across law schools, establishing, not surprisingly, that pre-legal academic achievement and socioeconomic status are the prime determinants in the allocation to law school. The subject of chapter four is the nature and extent of pre-law school debt and the sources from which first-year students propose to cover the cost of their legal education, obviously an extremely important factor in a system in which student education is largely self, rather than government, funded.

Chapter five presents the data about employment preferences and expectations, demonstrating that students have already identified their preferences at the time they begin law school and that these preferences differ by both gender and ethnicity. Employment preferences are also examined with respect to their relationships with other variables, such as type of law school, father's occupation and pre-legal academic achievement. In this respect, interesting comparisons can undoubtedly be drawn between the US data and that collected in Australia by the Centre for Legal Education in its 1994 career intentions study

conducted by Roper¹ and replicated in 1995².

The final chapter of this report concentrates on the student responses to a series of professional attitudes questions, addressing issues of job security, pro bono time, professional salary and professional ethics, cross-tabulated with respect to the variables of preferred area of employment and job security.

Although only 119 pages in length itself, there can be no doubting that this seminal report will effectively set the scene for other reports to follow, which will concentrate on more specific issues arising from the superabundance of data gathered in this study. The report presents the data as analysed to this point in 46 clearly presented tables and 13 figures. Surprisingly, perhaps, the focus to date has been largely descriptive, with the data displayed in terms of frequencies and percentages for the categorical variables and means and standard deviations in the case of, for example, the respondents' employment aspirations. Apart from the use of cluster analysis for the grouping of the law schools in accordance with the characteristics described above, no more sophisticated statistical analyses appear to have been performed so far, such as, for example, chi-squares or analysis of variance, where appropriate, to test for statistical significance.

Editor

¹ C Roper, *Career intentions of Australian law students*, (1995), Department of Employment, Education and Training: Australian Government Printing Service [Editor's note: this book was reviewed in 4 *Legal Education Digest* 2, pp 3-4.

² L Armytage & S Vignaendra, *Career intentions of Australian law students* (1995), (1996), Centre for Legal Education.

REVIEW ARTICLE

Women in legal education: a comparison of the law school performance and law school experiences of women and men

L F Wightman

Law School Admission Council
1996

This report, 188 pages in length, covers the second published study which employs the data collected from the Law School Admission Council's longitudinal Bar Passage Study, using survey data collected from students entering law school in 1991 and the study's first follow-up questionnaire of a sample of the same population 12 months later.

The goals of this particular study were: first, to provide data on a national basis to examine issues of gender difference in legal education that have previously been studied at best on a relatively small scale or within individual law schools; and secondly, to explore a variety of factors in addition to the traditional predictors which will enable us to expand our understanding of the variables that might be related to future academic performance in law school, as well as overall satisfaction with law school, highlighting the differences between women and men.

The study comprises four distinct areas of inquiry:

1 Issues of women's academic performance at law school when compared with men are surveyed. In addition to looking at performance with reference to first-year grade-point average, this study also attempts to fill out the picture by examining how well women should perform based upon their past history of academic achievement.

2 Aspects of the first-year law school experiences of women and men are considered, separately for selected racial groups, in order