

INSIDE HIGHER ED

Do Law Schools Limit Black Enrollment With LSAT?

New study also questions validity of the test. Those who produce the test defend it.

By [Scott Jaschik](#)

April 15, 2019



An increasing number of undergraduate colleges -- looking to attract more applicants and to diversify their applicant pools -- have been [going test optional](#) in admissions.

Law schools also worry about attracting more applicants and diversifying their student bodies. Some have [started accepting the Graduate Record Exam](#) as

an alternative to the Law School Admission Test, but the LSAT remains the dominant test in law school admissions. Concerns about diversity in legal education could grow if -- in a future Supreme Court decision -- colleges face new limits or an outright ban on their ability to consider race in admissions. **A new study** argues that law schools' use of the LSAT is effectively limiting black enrollment in law schools. The study is by Aaron N. Taylor, executive director of the AccessLex Center for Legal Education Excellence and a longtime expert on diversity in legal education. Taylor's study appears in the *Florida International University Law Review*.

Among the statistics he cites are the following:

- In the 2016-17 admission cycle, "it took about 1,960 black applicants to yield 1,000 offers of admission," compared to only 1,204 among white applicants.
- The average LSAT score for black test takers is 142, while the average for white and Asian test takers is 153.
- Nearly half of black law school applicants (49 percent) were not admitted to a single law school. That share is larger than that of any other racial or ethnic group.
- Among those with scores in the band of many black law applicants, white applicants are more likely than black applicants to be admitted, "intensifying the exclusionary effects of the LSAT," Taylor writes. Among black applicants with LSAT scores between 135 and 149, 55 percent received no admission offers. But this compares to only 39 percent of similar white applicants.
- As a result of these figures, black applicants who are admitted to law schools enroll at law schools with less desirable outcomes (in job placements and other outcome measures) than other law schools.
- Black applicants who are admitted to law schools -- which use LSAT scores in awarding scholarships -- are less likely than those in other groups to receive non-need-based aid.

Taylor also questions the value of the LSAT. While the sponsors of the LSAT say that it is a measure to predict first-year academic success in law school, Taylor notes several studies that have found that it does not predict passage of bar exams.

"The fundamental goals of legal education are longer term; but the LSAT does not predict one's chances of attaining these goals well, surely not well enough to be the primary admission criterion," Taylor writes. "For example, Texas Tech found that the LSAT explained a noteworthy, but limited, 13 percent of the variance in bar exam scores of its law graduates. The University of Cincinnati found that, among its law graduates, the 'LSAT score does not correlate with Ohio bar exam performance.' Two professors from the University of California, Berkeley, found that the LSAT had very weak (or no) value in predicting lawyering skills among its law graduates."

This evidence should give legal educators grounds to question to use of the LSAT, given the impact on black applicants.

Melissa Harris Thirsk, vice president and chief marketing officer of the Law School Admissions Council, which sponsors the LSAT, disputed Taylor's conclusions. She noted that the council supports efforts to provide free test preparation and academic advising for minority (and other) potential law school applicants.

Thirsk disputed the idea that the LSAT is responsible for black law school applicants being rejected.

"To help improve the representation of African Americans in law school student bodies, it is important to understand the factors that are keeping acceptance rates somewhat lower than rates among other groups and then to

develop strategies to alter those factors," she wrote. "The trends we have observed in applications from African American candidates that affect outcomes include the factors that Mr. Taylor identifies such as submitting applications late in the application cycle and LSAT scores that fall in lower bands. We see other factors as well such as [grades] and age at time of application."

At the same time, she said that the council discourages law schools from placing too much emphasis on the test.

"We regularly remind our member law schools to use the LSAT correctly," Thirsk said. "We believe that the overreliance that Aaron criticizes is driven by too much focus on *U.S. News & World Report* rankings and, in some cases, a failure on the part of schools to understand that even if they choose to focus on rankings, they have room to admit a wider range of LSAT scores."

https://www.insidehighered.com/admissions/article/2019/04/15/study-argues-law-schools-limit-black-enrollment-through-lsat?utm_source=Inside+Higher+Ed&utm_campaign=b10ceccd22-DNU_2019_COPY_01&utm_medium=email&utm_term=0_1fcbc04421-b10ceccd22-198467257&mc_cid=b10ceccd22&mc_eid=0c2028f1a2