

August 30, 2022

Joe West, Chair  
Leo Martinez, Immediate Past Chair  
Council of the Section of Legal Education and Admissions to the Bar  
American Bar Association  
Via email to Fernando.Mariduenaa@americanbar.org

Re: LSAC Comments on Proposed Changes to ABA Standards 501 and 503

Dear Members of the Council:

I am writing to support the proposal advanced by the Law School Admission Council to modify and expand the application of Interpretation (3) of Standard 503 in lieu of elimination of the requirement that law schools must require candidates to “take a valid and reliable admission test.”

Throughout my forty odd years in legal education, I was involved with the admissions process in a number of different capacities: faculty member of admissions committees; administrator; member and Chair of the LSAC Test Development and Research Committee; and member and Chair of the LSAC Board of Trustees. As a result, I believe I have a good understanding of the importance to law school admissions of “a valid and reliable” test.

From the beginning of the LSAT, LSAC has been engaged in research to assure that the test is reliable and valid. The organization does so not only because it would be wrong to select students using an instrument that did not contribute to the prediction of law school academic performance, but also because the Standards for Educational and Psychological Testing demand it. LSAC has conducted thousands of studies focused on school specific validity as well as research concerning the validity of the test for various subgroups of the applicant population. Those studies demonstrate that the LSAT does its job well; indeed, it is one of the best if not the best admission test. In addition, although the LSAT is not designed to predict performance on the bar examination, there also is a correlation between LSAT scores and multi state bar scores.

No one would argue that the LSAT is perfect; it’s doubtful that any admission test could meet that standard. It should not be given more weight in the admissions process than it can bear. But when used by a skilled and knowledgeable admissions professional in conjunction with other information about a candidate’s suitability for legal study, the LSAT is an important tool.

I believe that eliminating the requirement of a “valid and reliable” test - replacing it with a “test option” regime - sends a signal that inappropriately devalues the LSAT and can lead to less informed and fair admissions decisions. It is a step that the Council ought not take.

George Dawson  
Professor Emeritus  
University of Florida Levin College of Law  
Past Chair of LSAC