Please include my comments in regard to proposed rule to waive the LSAT requirement for 10% of admitted law school students. The LSAT tests how well you take a timed test over a narrow skill set. But it is not God. No single standardized test reliably will predict your future success in law school or in the practice of law. The LSAT does not test (under pressure or not) how well you: write or speak, keep your word, develop mutually beneficial relationships, efficiently and effectively complete your work, follow-through, tenaciously represent your clients or apply life experiences to real-world situations. The LSAT does not test math, accounting, business or social skills or work ethic, integrity, respect for others, compassion, enthusiasm, attitude or ability to complete a project despite the smarter people in the room. Contrary to the elitists or uniformed, no standardized test can predict who is brighter or will become a successful attorney. But objective, quantifiable data does make it easier to accept or reject thousands of applicants for limited seats. And it gives cover when a poor applicant is accepted over a good applicant. Heavy reliance on the LSAT, and thus its artificial importance, reminds me of a book I read about a military test given to new recruits. The test selected officer candidates. Eventually it was proven the test was as predicative as flipping a coin. But the military continued the tests because it always used it and there was so much quantifiable data on which to rely. Sound familiar to the LSAT controversy? The solution is not simple for those wanting a caste system for good order or the status quo regardless of the original intention of selecting quality applicants who eventually will practice law. But the following suggestion is valid. Each law school should be able to use the LSAT, GRE, GMAT and other standardized tests along with any other criteria the law school deems relevant or helpful. So allowing 10% of admitted students without an LSAT score is a good start. Instead of limiting America to attorneys with the common experience of doing well on the LSAT, the legal market should be open to a broader group of people who are competent in a variety of areas. More diversity in the selection process creates a more vibrant and diverse student population. That will produce lawyers who can better tune into their mixed client needs at an affordable cost. And that will benefit all levels of society, which also will elevate the profession’s reputation and general acceptance.

From Mark P. Yablon