

To: ABA Council of the Section of Legal Education and Admissions to the Bar  
Re: Proposed Revisions to Standard 503  
Date: July 10, 2017

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In March 2017, Harvard Law School announced a pilot program to accept the Graduate Record Examination (GRE) as part of a wider strategy at Harvard Law School to expand access to legal education for students in the United States and internationally. As the ABA Council of the Section of Legal Education and Admissions to the Bar considers proposed revisions to Standard 503, the three of us—the current dean, the dean when our pilot program was adopted, and the dean of admissions—submit for consideration the key principles and reasoning behind HLS’s decision to accept the GRE.

#### Eliminating barriers as we search for the most talented candidates

One of the ABA’s major goals is to “[e]liminate bias and enhance diversity” by promoting “full and equal participation in the association, our profession, and the justice system by all persons.” This important goal is shared by the Harvard Law School, and we have worked to ensure that our admissions practices are constantly evolving to provide for broader access to legal education.

In recent years, HLS has undertaken a number of innovations in the admissions process. These include: using Skype to conduct interviews; eliminating the requirement for a “seat deposit” for accepted students; and launching a deferred-admissions pilot program to encourage and accept applications from juniors who commit to two years of post-collegiate work experience prior to starting law school. This past spring, HLS announced a pilot program to offer choice in standardized testing by accepting the GRE. Two considerations supported this decision.

*First*, accepting the GRE lowers barriers to application. The GRE is offered frequently throughout the year and in numerous locations around the world. Many prospective law school applicants take the GRE as they consider graduate school options. The Law School’s decision to accept the GRE will alleviate the financial burden on applicants who would otherwise be required to prepare and pay for an additional test. For many students, preparing for and taking both the GRE and the LSAT is unaffordable. All students benefit when we can diversify our community with respect to academic experience, country of origin, and financial circumstances. Also, with the revolutions we are witnessing in biology, computer science, and engineering, law needs students with science, technology, engineering and math backgrounds. For these students, international students, multidisciplinary scholars, and joint-degree students, the GRE is a familiar and accessible test, and using it is a great way to reach candidates not only for law school, but for tackling the issues and opportunities society will be facing.

*Second*, rigorous empirical research showed that we could lower barriers to application in this way while adopting an alternative test that was at least as good a predictor of first-year grades for HLS students as was the LSAT. In particular, the change is supported by an HLS study, designed in 2016 and completed earlier this year, examining, on an anonymized basis, the GRE scores of current and former HLS students who took both the GRE and the LSAT. In accordance with American Bar Association (ABA) Standards for Legal Education, the aim of the study was

to determine whether the GRE is a valid predictor of first-year academic performance at Harvard Law School. The statistical study showed that when considered in conjunction undergraduate GPA, the GRE is not only an equally valid predictor of first-year law grades for our students, but in fact, a stronger predictor than LSAT and undergraduate GPA together.

### Summary

Harvard Law School's experience illustrates the potential for productive experimentation at the initiative of individual schools seeking to increase access to law school through empirically validated alternative tests. As the ABA continues its review of rules governing which tests law schools may use in making admissions decisions, we look forward to working with the Council on finding the most effective ways to encourage the broadest and most diverse pool of talented students to enter the legal profession.

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