March 31, 2018
Maureen O’Rourke, Chair
Council of the ABA Section of Legal Education and Admissions to the Bar
(via email to jr.clark@americanbar.org)
321 N. Clark Street, 21st Floor
Chicago, IL  60654

Re: Statement in Support of Eliminating the Standard 503 Requirement that Every Prospective Student Submit a Standardized Admissions Test Score

Dear Members of the Council:

The Society of American Law Teachers (SALT) supports the proposal to eliminate the Standard 503 requirement that every prospective law student submit a standardized admissions test score. In previous statements submitted to the Council and to the Standards Review Committee, SALT has noted the problematic effects caused by misuse of the LSAT in the law school admissions process. We appreciate that those concerns have led the Council to consider revising Standard 503. Eliminating the standardized test requirement is also a critical first step in incentivizing the development of alternative tests and admissions practices that may better predict success in law school, and ultimately, as a lawyer.

SALT identified and discussed significant concerns about the LSAT in a 2011 Statement, attached as Appendix A. We will not repeat those arguments but note that the 2011 Statement is equally, if not more, true today. This Statement focuses instead on the potential benefits of eliminating the requirement that law schools use a standardized test in the admissions process while noting the risks inherent in the proposed change.

I. Eliminating the requirement of a standardized test score for admissions allows schools to experiment with other admissions tests and criteria.

A. Undergraduate schools have successfully experimented with “test optional” admissions policies.

Eliminating the requirement that all applicants submit a standardized admissions test score does not signal the demise of the standardized test. Rather, it simply gives law schools the option of allowing some, or all,
Society of American Law Teachers

prospective students to apply without submitting a standardized test score. For decades, many undergraduate colleges and universities have had a “test optional” admissions policy and the list of schools going “test optional” continues to expand.\(^1\)

Many undergraduate institutions allow prospective students the choice of submitting standardized test scores or applying for admission via a “holistic” approach that includes answers to numerous essay questions and looks at a wide range of other factors.\(^2\) Some studies have shown that students admitted under this “test optional” approach largely perform at the same level as their peers who submitted test scores.\(^3\) There is also some evidence that allowing “test optional” policies has increased diversity,\(^4\) although there is also some evidence to the contrary at the more elite schools.\(^5\)

The flexibility of a “test optional” policy opens the door to prospective students who might otherwise be excluded, and it incentivizes schools to figure out how to help those students succeed. For example, Georgia State University (GSU) committed to increasing its retention and graduation rates through a policy of inclusion, rather than exclusion.\(^6\) To do so, its admission process focuses mainly on high school grades. GSU accepts large numbers of minority students and Pell Grant recipients who have standardized test scores and other predictors that traditionally would categorize them as “at risk.”\(^7\) Using data analytics to identify risk factors and appropriate interventions, GSU has one of the highest retention and graduation rates of comparable urban research universities, one of the most diverse student bodies, and no achievement gap between students of color and white students.\(^8\)

GSU’s success story illustrates what can happen if schools have the freedom to admit students without consideration of standardized test scores. Law schools not bound by the standardized test score requirement could admit students whose test scores might otherwise preclude them from law school, and can develop studies and interventions that help insure those students’ success.

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2 See e.g., Alexia Brunet Marks & Scott A. Moss, *What Predicts Law Student Success? A Longitudinal Study Correlating Law Student Applicant Data and Law School Outcomes*, 13 J. EMPIRICAL LEGAL STUD. 205 (2016) (finding that factors such as UGPA, undergraduate major, and prior work experience are significant law school academic success predictors).
5 *Id.*
7 *Id.*
8 *Id.*
B. Eliminating a standardized test requirement opens the door to study other predictors that better predict success.

Although the LSAT does not purport to measure success as a lawyer, or claim to measure the wide range of skills lawyers need, the hegemony of its use deters exploration of other predictors. What the LSAT does do, but only to a very limited extent, is predict first year grades. Law school grades in turn have some association with passing the current knowledge-based bar exam. However, the LSAT is far from a perfect predictor for all students, especially in view of the academic success and bar success programs that continue to expand at law schools. For example, a recent peer-reviewed study of 1,400 law students at two schools concluded that while LSAT scores are better than UGPA at predicting first year law student grades, UGPA is a slightly stronger predictor of overall LGPA. That study also found that factors beyond the LSAT, such as having a STEM or Engineering, Accounting or Finance background, and work experience, especially as a teacher, are significant law school success predictors. In addition to not being as strong a predictor of law school grades as many assume, the test also does not purport to test the wide range of skills lawyers need. In fact, one small study found that while LSAT scores correlated to first year grades in doctrinal courses, the scores
did not correlate to grades in legal research and writing courses, the courses that most resemble how lawyers apply legal doctrine in actual law practice.

Legal education would benefit from having more studies that identify other success predictors that are more closely tied to the skills lawyers need in law practice. This kind of innovation is especially important in an age of rapidly changing delivery of legal services, when skills in areas such as project management, artificial intelligence affecting the legal field, and communication with a wide range of clients, may become critical components of future legal practice. Alternative tests could predict a wide range of lawyering skills that lawyers actually use in practice. For example, Professors Shultz and Zedeck developed a pilot test that assesses a wide range of skills lawyers need. As long as the current LSAT is required, there is little incentive to explore those alternative tests. The proposed Standard change potentially incentivizes researchers, schools, and even the LSAC to look at alternative assessments that predict law school success and, most importantly, better predict who will be a competent lawyer.

Some schools have chosen to adopt the GRE as an alternative standardized test to satisfy Standard 503, and some have proposed simply adding the GRE as an alternative admissions test. However, simply adding the GRE as an additional test option raises new problems. First, there are significant validity problems with using the GRE as an admissions test since there is little indication it predicts law school success. Indeed, one study indicates the GRE was not even a good predictor of graduate psychology students’ success – despite the fact that it theoretically is supposed to predict success in graduate programs. Additionally, the current pool of GRE test-takers is less diverse than the pool of LSAT test-takers and the GRE, like the LSAT, has a disparate impact on low income and minority test-takers. Additionally, adding the GRE may increase the cost for law school applicants who may feel compelled to study for, and take, two different tests. This option may be more available to applicants from wealthier families, and thus further increase disparities in the applicant pool. Finally, like the LSAT, the GRE does not purport to predict success in the wide range of skills lawyers need. Simply adding the choice of

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the GRE, therefore, is not a meaningful improvement to the admissions test requirement dilemma.

II. **Eliminating the requirement of a standardized test score may mitigate social justice problems arising from misuse of the LSAT.**

Studies indicate that standardized tests have disparate impact on students who do not come from privileged backgrounds. Numerous studies correlate standardized test scores with zip codes and family wealth. These correlations make practical sense – students born into families that live in high-achieving school districts are likely to have greater educational opportunities, greater access to test preparation services and tutoring, and the ability to focus on test preparation rather than working in part time jobs to help ensure food security and adequate housing.

A. **Eliminating required test scores may reduce the current misuse of LSAT scores, which is motivated by US News rankings.**

Despite the LSAT’s limited predictive value and the LSAC’s warning not to over-use it in admissions decisions, LSAT scores drive the admissions process at most schools. In large part, this is due to *US News and World Report* rankings. LSAT scores account for 12.5% of the data used by US News in its rankings. While schools have little control over other rankings factors such as peer and judge assessments, they can increase their median LSAT scores by heavily recruiting students with high scores and providing them significant tuition discounts and scholarships. This expensive quest for students who serve median-LSAT goals has skewed scholarship dollars away from needs-based scholarships and toward those with high LSAT scores. It also has shifted the cost of legal education onto the shoulders of those with lower LSAT scores. In essence, those with lower test scores bear increased costs to support scholarships and tuition discounts given to those with higher test scores.

The proposed Standards change will not reduce law schools’ misplaced obsession with the *US News* formula, but it could ameliorate the destructive impact of that obsession. Gaming the rankings currently means overuse of the LSAT. With the proposed change, law schools will likely find ways to admit students without LSAT scores in hopes of maintaining or improving their median LSAT scores, if those continue to be used in the rankings, as also seems likely. Underuse or selective use of the LSAT is a possible outcome—relying on factors that may or

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20 See Cautionary Policies, supra note 8.


may not be demonstrably connected to merit or prediction of success—but that challenge can be addressed as law school admissions change in response to the dethroning of the LSAT as the primary way to evaluate applications. Perhaps the change in admissions practices will lead to a change in the *US News* formula, with law schools then shifting admissions strategies in reaction. The rankings impact is impossible to predict, but the status quo is sufficiently destructive that the fact that some new rankings strategies are likely to emerge is not a good reason to maintain the current Standard.

**B. Requiring a standardized test score affects law school compliance with Standard 205.**

Standard 205 states that schools shall not use admissions policies or take other action to preclude admission of students on the basis of race, color, national origin and other factors. The current over-reliance on LSAT scores in admissions decisions, and awards of scholarships based upon high LSAT scores rather than financial need, potentially conflicts with Standard 205’s mandate.

LSAT scores have a disparate racial impact, and have never been validated as an effective measure of lawyer competence. Therefore, using LSAT scores as a linchpin of admissions decisions contributes to a deeply embedded set of discriminatory practices. To the extent all students must submit LSAT scores and schools seek to have median LSAT scores that keep them competitive in the *US News* rankings, supporting a moral and ethical commitment to diversity becomes more costly. Scholarship money is diverted from supporting students in need to achieving the highest possible median LSAT score. The requirement that all prospective students submit LSAT scores presents significant challenges to those who seek to break with these de facto discriminatory practices and admit and support students from a range of socioeconomic backgrounds and thus comply with Standard 205’s mandate.

**C. Eliminating required test scores may improve access for qualified people with disabilities.**

Using a single test as the sole gatekeeper for the legal profession may create an unnecessary obstacle for people with disabilities, particularly when that test, the LSAT, has a record of failing to permit adequate accommodations. Allowing a variety of admissions processes could improve the legal profession by enhancing access for disabled students as well as others who are well qualified to be future attorneys, but who may not score high on the LSAT.


III. The risks of eliminating a standardized test requirement

Eliminating the requirement that every student submit a standardized test score will encourage innovation and experimentation, and will ameliorate some of the pernicious effects of the LSAT discussed above. However, it is not without potential downsides.

The LSAT and other standardized tests were originally adopted to reduce cronyism by introducing what was thought to be an objective measure for admissions. Eliminating the test score requirement risks returning to a system where admission was too often based on familial or social connections.

Another potential risk is that some struggling law schools might admit truly unqualified applicants in order to collect tuition. Accreditors would need to be vigilant and flexible in enforcing Standard 501, which requires law schools to admit only applicants who appear capable of satisfactorily completing the program of legal education and being admitted to the bar, and Standard 309, which requires schools to provide appropriate academic support to its admitted students. Schools that move away from a standardized admissions test may need to engage in thorough analyses of student risk factors and design appropriate interventions for students who struggle academically or with bar passage. The work done with undergraduates at GSU demonstrates that schools that are intentional about student success, and use the data available to them, can minimize the weight given to standardized tests, find ways to open their doors to a wide range of students, and work with those students to help ensure their success.

While elimination of the standardized test accreditation requirement may present regulatory challenges, SALT believes, on balance, those challenges can be met via thoughtful application of Standard 501 (admissions), Standard 309 (the academic support standard) and experimentation with both new predictors of academic success and programs designed to identify and devise appropriate interventions for at-risk admitted students.

Conclusion

Used properly, the LSAT can play an important role in law school admissions. However, over the years, its misuse has become greater and its lack of focus on professional success has become more troubling. Therefore, law schools should be given the opportunity to develop and experiment with admissions criteria that go beyond standardized test scores. This is happening at undergraduate institutions, with some measure of success. While eliminating a standardized test score requirement creates some risks, it also creates opportunities to explore how to create an admissions process that better predicts success as a lawyer and that provides opportunities to a wider range of students.

Submitted on behalf of the Society of American Law Teachers by

Matthew H. Charity    Davida Finger
Co-President     Co-President
Statement in Support of Eliminating the Requirement of an Admissions Test
Submitted by Society of American Law Teachers
For the April 2, 2011 meeting of the Standards Review Committee

Law schools are the initial gatekeepers to the legal profession, admitting only a small percentage of applicants. The admissions process is the doorway to the formation of a lawyer, including the shaping of a lawyer’s professional and moral identity. The humbling impact of this gate-keeping function underscores the importance of getting the admissions process right. The law school admissions process must reflect the professional and moral imperatives of the practice of law: it must be fair and principled. Lawyers and law schools must challenge admissions procedures that undermine fairness and principled reasoning just as lawyers are expected to be advocates for change whenever fairness and principled reasoning are undermined.

SALT applauds the ABA for meeting these professional and moral imperatives by reviewing the role of the LSAT in the accreditation process. Although the LSAT is generally accepted as a better predictor of success in the first year than undergraduate grade point average, its actual ability to predict success is widely acknowledged to be quite limited. More importantly, a broad base of research reveals that the LSAT has a chilling effect: (1) law schools disregard the LSAC’s cautionary instructions about the limited utility of the LSAT and instead rely primarily on this numerical data for admissions purposes; (2) law schools increasingly rely on the LSAT to award “merit” scholarships instead of offering scholarships based on need; 3) the LSAT does not measure a student’s potential for success later in law school, success in passing the bar, or success in law practice; and (4) the LSAT excludes otherwise meritorious candidates from underrepresented populations, including students of color and students from lower socio-economic status. As a result, law schools’ overreliance on the LSAT erects an unfair barrier to access to the profession. Moreover, the LSAT’s monopoly on admissions practices chills competition from alternative admissions procedures. As long as the LSAT retains an iron grip on the admissions process, law schools will continue to exclude deserving students, to the detriment of the legal profession and to society as a whole.¹

¹ William D. Henderson, The LSAT, Law School Exams, and Meritocracy: The Surprising and Undertheorized Role of Test-Taking Speed, 82 TEXAS L. REV. 975, 977 (2004); Phoebe A. Haddon & Deborah W. Post, Misuse and Abuse of the LSAT: Making the Case for Alternative Evaluative Efforts and A Redefinition of Merit, 80 ST. JOHN’S L. REV. 41, 54-55 (2006) (“[The] LSAT test score, a product of one three-hour test, has a statistically significant correlation to first-year grades and is offered as a reliable predictor of whether an applicant will succeed in the first year of law school. But even this limited claim is contested, and the LSAC itself states that any predictive validity must be assessed on an individual school basis.”); Richard Delgado, Official Elitism or Institutional Self-Interest? 10 Reasons Why UC-Davis Should Abandon the LSAT (and Why Other Good Law Schools Should Follow Suit), 34 U.C. DAVIS L. REV. 593, 599-600 (2001) (“Even aside from conceptual incoherence, or perhaps because of it, the LSAT and other standardized tests simply are not very good at doing what they profess to do, namely predict first year grades”); Vernellia R. Randall, The Misuse of the LSAT: Discrimination against Blacks and other Minorities in Law School Admissions, 80 ST. JOHN’S L. REV. 107, 125 (2006) (discussing the insignificance of the average correlation coefficient for the LSAT and UGPA as poor predictors of first year law school performance).
Law Schools Misuse the LSAT

Although it is subject to dispute, or at least several caveats, the LSAT is generally accepted as the best available predictor of success in the first year of law school. But even construed in the most favorable light, the LSAT is simply that and no more. It does not accurately predict success later in law school. It does not predict success in classes where students integrate doctrine with other legal skills in ways that replicate how lawyers employ doctrinal analysis in practice. The LSAT was not designed to, nor does it, accurately predict success in practice.

Indeed, the LSAT was never intended to monopolize admissions decisions. The LSAC has issued several public advisories about the limited utility of the LSAT, specifically cautioning that “LSAT scores... do not measure, nor are they intended to measure, all the elements important to success at individual institutions.” Moreover, the “LSAT does not measure every discipline-related skill necessary for academic work, nor does it measure other factors important to academic success.” The LSAC explicitly urges schools not to “use the LSAT score as a sole criterion for admission,” instead, schools should only use LSAT scores as “one of several criteria for evaluation...” Anticipating one of the purported justifications for over-reliance on the LSAT, the LSAC specifically states the LSAT “should not be given undue weight solely because it is convenient.”

But law schools do not listen to the LSAC’s warnings. Instead, law schools persist in over-relying on the LSAT in their admissions procedures. Most law schools are willing to sacrifice fair and principled admissions decisions in order to exploit efficiency and rankings. LSAT scores are one of the few factors within a school’s control with regard to U.S. News and World Report rankings. Median LSAT scores for a school’s entering class account for 12.5% of the data used

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2 Supra note 1.
4 The LSAT’s tenuous correlation to performance in the first year of law school must also be reexamined in light of momentum for holistic reforms to legal education. In many ways, the first year of law school is far more traditional than the second and third year of study: the latter courses often (and increasingly) entail greater focus on skills, such as clinical or experiential opportunities. Indeed, the lack of correlation between the LSAT to second and third year performance (as well as the lack of correlation between the LSAT and success in practice) exposes the outdated focus of the LSAT: it does not measure the types of skills and abilities that are stressed later in law school and in practice. As law schools evolve and better incorporate the types of practical skills and professional judgment called for in the Carnegie Foundation Report, why should admissions be tied to the anachronistic scope of the LSAT?
5 Haddon & Post, supra note 1, at 53-54; 59-60; see also Leah Christensen, The Power of Skills: An Empirical Study of Lawyering Skills Grades As The Strongest Predictor of Law School Success, 83 ST. JOHN’S L. REV. 795 (2009)(finding that the strongest predictor of law school success was students’ grades in lawyering skills courses, followed by UGPA and then LSAT score)
6 See e.g. Andrea A. Curcio, Gregory T. Jones, and Tanya M. Washington, Does Practice Make Perfect? An Empirical Examination of the Impact of Practice Essays on Essay Exam Performance, 35 FL. ST. L. REV. 217, 293 (2008)(finding that although LSAT scores correlated with grades in first year doctrinal courses, there was no correlation between LSAT score and students’ legal research and writing course grade); Henderson, supra. Note 1 (finding LSAT score correlated best with in-class timed exams, and had much less of a correlation when students were given exams that mirrored how lawyers evaluate issues in practice, and had virtually no correlation to students’ grade on an appellate brief or oral advocacy assessment).
7 Id. at 53-54; 59-60; Stake, supra note 3, at 234.
9 Id.
10 Id.
11 Id.
12 Id.
13 Paula Lustbader, Painting by the Numbers: The Art of Providing Inclusive Law School Admissions to Ensure Full Representation in the Profession, 4 (work in progress on file with the author).
by *U.S. News and World Report* in its rankings. The bottom line is that as long as the incentives for using the LSAT remain the same, and as long as law schools are allowed to continue to use the LSAT score as the primary indicator, they will — no matter what the professional and moral costs.

**Over-Reliance on the LSAT Results in Fewer Needs-Based Scholarships**

Many law schools have changed their financial aid policies over the last several years in an effort to boost their US News & World Report rankings by raising the LSAT scores of their incoming students. Indeed, a recent report of a special committee of the Council of the Section of Legal Education and Admissions to the Bar explicitly raised this as one of the three most worrisome adverse effects of the rankings. The Report stated:

The current methodology tends to discourage the award of financial aid based upon need. Because median LSAT score and median UGPA are so important to the current rankings, law schools have abandoned other measures of merit or need in awarding financial aid. This can have the effect of shifting financial aid to those students with LSAT scores that will assist a school in achieving its target median for rankings purposes. The result is that students with the greatest financial need often are relegated to heavy borrowing to attend law school.

Over-reliance on the LSAT thus has had the pernicious effect of reversing the long-established policy of offering scholarships to low-income students. This, in turn, contributes to the declining enrolment of low income and minority students as described below.

**The ABA Accreditation Standards Provide an Unintentional De facto Minimum LSAT Score and Compound the Inequitable Impact of the LSAT as the Dominant Admissions Criterion**

Although the LSAC discourages “cut-off scores (those below which no applicants will be considered),” law schools use the LSAT as a hatchet for precisely that purpose. This “cut-off” occurs even though the ABA does not require a minimum LSAT score. In recent history, it has been noted that the ABA has denied accreditation to schools that admitted students with LSAT scores lower than 143. Therefore, the practical effect of these accreditation denials is a de facto “cut-off score” range of 141-143. An even higher cut-off score has been reported among New York schools which reportedly do not accept students with LSATs below 150.

LSAC recently released data establishing an average LSAT score of 143.5 for African-American students. Application of the ABA de-facto standard to this average would mean the automatic disqualification of half of the African-Americans who take the LSAT. And, if law schools are increasingly refusing to accept students with LSATs below 150,

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16*Id.*
19*Id.* at 114.
20Haddon & Post, *supra* note 1, at 65.
22Shepard, *supra* note 18, at 104-05, 120.
23Nussbaumer, *supra* note 17, at 176
the result is an inevitable decline in enrollment of African-American students in law school.\textsuperscript{24} African Americans are not the only students who are denied admission by this de-facto cut-off score. Various studies also show that other minority students score significantly lower than whites on the LSAT.\textsuperscript{25} LSAT scores are also lower for students from lower socio-economic groups and for students with certain learning styles.\textsuperscript{26} Careful studies and common sense reveals that many students within these under-represented groups are otherwise meritorious candidates for the study and practice of law.\textsuperscript{27} Such promising students add vital diversity and talent to legal education and to the legal profession, but simply because they tend to score lower on the LSAT, they face higher obstacles to admission. This result is unjust, unprincipled, and unacceptable.

The ABA has identified the diversification of the profession as one of its top priorities.\textsuperscript{28} Diversity in legal education not only enriches the educational experience for all students, but also enhances the capabilities and wisdom of the legal profession. The perverse impact of the LSAT on diverse student populations is directly contrary to the stated intent of the ABA.

\textbf{Over-Reliance on the LSAT Stifles the Advancement of Viable Alternatives}

Despite the warnings of the LSAC and the good intentions of the ABA, the LSAT has eclipsed alternative measures for assessment and admissions.\textsuperscript{29} Because of the various incentives discussed above, law schools invest in sustaining the monopoly of the LSAT. The LSAT’s dominant role in the law school admissions process has chilled the development of viable, demonstrated alternatives.

Fortunately, some strong scholarship and research – including research funded by LSAC– suggests some alternatives that would benefit from further revisions to the ABA accreditation standards. SALT and other entities have discussed some of these innovations in prior position statements: the use of banded-reporting,\textsuperscript{30} alternative assessment tests that measure potential to succeed in practice;\textsuperscript{31} qualitative indicators;\textsuperscript{32} adjusted test scores for race and socio-economic background;\textsuperscript{33} and so-called “whole file” reviews;\textsuperscript{34} are just some of the promising alternatives that warrant further investment.

But to meaningfully develop these alternatives, the chilling effect of the LSAT must be addressed. Eliminating Standard 503 will help to correct persistent over-reliance on the LSAT.

\begin{footnotesize}
\begin{enumerate}
\item Adcock, \textit{supra} note 21.
\item Id. at 599-601.
\item Nussbaumer, \textit{supra} note 17, at 169; Shepard, \textit{supra} note 18, at 103.
\item Randall, \textit{supra} note 1, at 111 ("At least ninety percent of law schools have admission practices that presumptively deny applicants based on where they fall on a grid formulated around LSAT and UGPA.").
\item Haddon & Post, \textit{supra} note 1, at 88
\item See LAW SCHOOL ADMISSIONS PROJECT: LOOKING BEYOND THE LSAT, University of California Berkeley Law, \texttt{http://www.law.berkeley.edu/beyondlsat/} (last visited March 20, 2011); see also Lustbader, \textit{supra} note 13, at 30.
\item Harvard Law Rev. Assoc., \textit{supra} note 27, at 1449, 1460; Delgado, \textit{supra} note 25, at 613.
\item Haddon & Post, \textit{supra} note 1, at 89; Delgado, \textit{supra} note 25, at 604.
\item Id. at 92.
\end{enumerate}
\end{footnotesize}
The LSAT was never intended to dominate the law school admissions process. And yet, various incentives compel law schools to prize the LSAT as the primary criterion for admission. The misuse of the LSAT has resulted in an unfair and unprincipled admissions process that negatively impacts legal education, the legal profession, and society as a whole.

As the gateway to the profession, the admissions process must be fair and principled. Fair and principled admissions procedures seek to increase enrollment of meritorious students from underrepresented and diverse populations. Fair and principled admissions procedures employ a variety of measures to predict law school success and success in practice. Fair and principled admissions procedures can achieve all these goals and still satisfy ABA accreditation standards. But as long as the incentives for exploiting the LSAT as a primary indicator remain the same, law schools have shown they will not change their admissions practices in any meaningful way. The proposal to eliminate Standard 503 will help to correct this chilling effect, and will enable schools to adopt admissions procedures that embody the noble professional and moral imperatives of the legal profession. In line with eliminating the test as an explicit admissions criterion, Interpretation 501-3 should be reworded to make clear that compliance with Standard 301 is not dependent on LSAT scores.

35 Lustbader, supra note 13, at 49-51.