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A FEW WORDS ABOUT LAW SCHOOL ADMISSIONS

Orrin L. Helstad, Acting Dean



In my recent contacts with the judiciary and the practicing bar, a topic of discussion which comes up about as often as any is the matter of law school admissions. The concern often is a personal one because a son or daughter, or the son or daughter of a friend, is about to seek admission. But the subject is quite a legitimate one from the standpoint of a broader perspective as well, for law school admissions committees have quite accurately been called, in recent years, the gatekeepers to the profession.

The admissions pressures of recent years are generally well known. During the past five years, we have averaged between 1800 and 1900 applicants each year for an entering class which has averaged about 300 each year over that same period. Roughly half of the applicants each year are residents of Wisconsin. The same pattern seems to be holding for the present admissions season.

The applicants' prospects are not quite as grim as these statistics indicate, for a substantial number of persons who are offered admission choose not to come. Whether for financial or other reasons, an accepted applicant may decide not to attend law school or may decide to attend some other law school. Our experience indicates that we are able to offer acceptance to roughly one of every three residents who apply and to roughly one of every five non-residents. Nevertheless, the fact remains that we deny admission to nearly a thousand qualified applicants each year. Respected and competent members of the bar often say to me: "I wouldn't even have gotten into law school today." Whether or not that statement is true in a given case, it is true that many persons who would have made competent lawyers are not being given a chance. The responsibility placed upon law school admissions committees clearly is an awesome one.

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Why this increased demand for legal education? We do not have all the answers, but some factors are known. One, until very recently, was the increasing population in the typical applicant age group. Another is the broad range of job opportunities for law graduates. The job market has remained reasonably good, at least in comparison with the opportunities in many other fields. We have also witnessed in recent years an awakening social consciousness on the part of young people, and many perceive the legal profession as best equipping them to dedicate themselves to the public good. Another factor is the increasing number of older applicants who, five to thirty years after college, become interested in law as a career. Clearly another reason is the awakening interest in legal education on the part of women. Women now constitute approximately 29% of the enrollment at the University of Wisconsin Law School (255 out of 878 in a count taken last fall) as compared with just a handful a decade ago.

In view of the importance of the admissions decision, we have given much attention in recent years to the standards and procedures under which we operate. Before I turn to standards and procedures, however, I should say a word about our resident-non-resident quota system and about our minority group admissions program because these are important nonacademic determinants in the composition of an entering class.

For the past several years we have been restricting our nonresident admissions to 20% of the entering class. This was a limited response to the great demand for admission; previously, most entering classes were 30-35 percent non-resident. I know that there is concern about admitting any non-residents as long as we have to exclude so many qualified Wisconsin residents each year (perhaps 400 to 500 each year). The reasons for our nonresident admissions policy were cogently stated by former Dean Spencer Kimball, in an issue of the *Gargoyle* a few years ago (Spring 1970), and I

will take the liberty of quoting from his remarks:

"There is a nearly unanimous view in law schools of high standing that the quality of a law school will deteriorate if it becomes a 'local' school. This does not reflect on the quality of Wisconsin's students—they are as good as the best. The reasons for maintaining a substantial component of the student body are various and largely intangible. It is thought valuable to students though less important than in the days when few people traveled, for the students with whom one associates to be more diverse than a local school can provide. For teaching it is useful to have in a class a variety of backgrounds to provide diversity of experience and view. Many nonresidents stay in the state and add strength to it, just as many residents leave to take their places on other stages—this is an important state in the Union and not a backwater, so the flow of talented people both in and out is substantial and should not be limited by too parochial an attitude. But the most important reason for believing that a substantial non-resident mix is necessary is that the people now in legal education are convinced it is. Whether the judgment is right or wrong it exists and is strongly felt. The relatively cosmopolitan school, therefore, has a great advantage over the local school in faculty recruiting. We have competed successfully in a strong league for faculty talent. We have not succeeded on the basis of dollars, for our salary structure is not as good as in comparable schools. It is even lower than in many schools which do not approach our quality. Many of our prospective teachers, who characteristically have several offers when they accept ours, would not give us a second thought if we had a local law school. And that is crucial. The keys to the quality of a school are the

quality of its faculty and of its students. If we were to risk serious prejudice to the quality of the Wisconsin Law School it would be no kindness to Wisconsin residents. They might get in but would get an inferior education."

Since 1968 the University of Wisconsin Law School, along with most other law schools in the United States, has had a special program with regard to admission of qualified applicants who have disadvantaged backgrounds, particularly members of certain minority groups. Black Americans, American Indians, Puerto Ricans and persons of Mexican-American background are presumptively considered to qualify for the program. Other persons of disadvantaged background occasionally are admitted through the program.

The program involves special recruitment efforts and special financial support. During the past five years, an average of 17 students has been admitted through this program each year, in other words, 5 to 6 percent of the entering class. It is fair to say that the persons admitted through this program are not required to meet the same admissions standards which competition has forced upon other admittees in recent years. The question asked with respect to applicants who qualify for the minority group program is whether they are sufficiently well qualified from an academic standpoint so that there is a reasonable probability (significantly better than a 50-50 chance) that they will do satisfactory work in law school if admitted. This is the same standard which we used to apply to all applicants for admission until the intense competition of recent years forced us to raise the standards.

A discussion of the details of the minority group program and its rationale probably is better left to another time. The idea of the program of course is to bring into the profession representatives of groups which for various reasons have been grossly underrepresented in the past. The program has been reasonably successful in achieving this goal.

In summary, the entering class consists of 80% Wisconsin residents and 20% nonresidents. The 5 to 6% which constitute minority group admittees are divided between residents and nonresidents.

In view of the importance of the admissions decision, we have made great efforts in recent years to assure that both the standards we apply and the procedures used in applying the standards are fair. The standards are published in full in our Law School Bulletin. The starting point is an index figure which we refer to as the FYP (first year predictor) and which is derived from a mathematical formula which combines the applicant's undergraduate grade point average and Law School Admission Test (LSAT) score in a manner which is supposed to be optimally predictive of the applicant's probable average in his first year in law school. As most of you know, the Law School Admission Test is a standardized test administered throughout the country.

The FYP formula is statistically updated each year by comparing the college grades and LSAT scores of the members of the entering class with the first year law school grade averages actually achieved. Beyond the FYP, we try to take a number of more sub-

jective factors into account such as the trend of college grades, letters of recommendation, the time interval between college graduation and application to law school, the general quality of the undergraduate college, the college grading and course selection patterns and the extent of outside work while in college.

I know that many of you are asked by applicants to write letters of recommendation. We find these to be a useful part of an applicant's file, particularly if the letter speaks to the applicant's ability rather than merely to his family background. Since we are a publicly-supported law school, we of course cannot give any preference to sons and daughters of alumni or to other friends or influential persons. There are no "dean's wild cards" in our admissions process. In fact, the Dean of the Law School does not participate in the admissions process except in the sense that he appoints the members of the Admissions Committee.

In order to keep this piece from becoming unduly lengthy, I will say just a few words about our admissions procedure. We have tried hard to balance fairness and thoroughness with the efficiency which also must be a consideration when over 1800 applications must be reviewed within a few months each year. Because of the large number of applications which must be processed, an early deadline (February 15) for submitting applications has been established and is adhered to strictly. The first review of the applications results in some applicants being accepted, a few being rejected, and the others placed in a "hold" category. A subsequent review of the application files placed in the hold category results in some addition-

al acceptances and some additional rejections, with the remaining applicants being invited to accept a place on a waiting list. Waiting lists are necessary in order to prevent the class from being oversubscribed while at the same time assuring that it will be filled to capacity. Thus, some persons who are on the waiting list may be accepted as late as the first day of classes. All the decisions are made by the three faculty members of the Admissions Committee, and, except in cases of clearly inadequate basic academic qualifications, an applicant's file will be reviewed by at least a majority of the members of the Committee before the applicant is rejected.

Walter Raushenbush has served as chairman of our Admissions Committee for many years (with the exception of 1975 when he was on leave) and deserves much credit for efficiently and fairly carrying this heavy and important administrative burden. He has received national recognition as an expert in the field of law school admissions. The other faculty members of the Admissions Committee this year are Professors Richard Bilder and William Clune. Two students also serve on the Committee but only for the purpose of participating in policy decisions.

I started by saying that law school admissions decisions are an awesome responsibility these days. We know we are excluding hundreds of persons who would make good lawyers and we will occasionally make a mistake and admit someone who will not make a good lawyer. Nevertheless, I am heartened by the fact that I frequently hear my lawyer-friends these days marvel at the general legal ability of our graduates with whom they have had occasion to become acquainted. We must be doing something right.