

What's In A Number: Ranking Law Schools

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There is an old saying among law schools that everyone claims to be "one of the 176 law schools 'in the top 10.'" Lacking our own football teams, law schools are forced to debate where they rank on some continuum of quality.

"I never like rankings but, on the other hand, I'd rather be on someone's list of top schools than not be on the list at all," says Dean Daniel Bernstine.

For years, the only semi-public rankings of law schools was the Gourman Report, a published listing of all kinds of academic programs with rankings calculated to two-decimal point accuracy. While he was dean, Cliff Thompson made it something of a personal crusade to find out how the rankings were determined, since no criteria were revealed in the publication itself. "I found an office on the second floor of a semi-rundown building in suburban Los Angeles," he reported, "but I never did discover how the rankings were determined."

Then, in 1987, US News & World Reports began circulating questionnaires to law schools and, based on their self-reporting, publishing an annual ranking of law schools, medical schools, and other academic programs. In the first survey, our Law School was tied with the University of Minnesota for 19th place. No surveys were published in 1988 or 1989, and

by 1990, we were no longer among their top 25. In 1991, we again appeared, this time at number 21, only to drop off the list again in 1992. By 1993, we were holding our collective breaths and were relieved to learn that we had bounced back on, this time as the 22nd best law school in the country. In a sub-category of academic ranking, we were reported as the 18th best law school in the country.

When we have questioned the editors of US News about why we specifically have bounced around rather abruptly in their rankings, we learned two factors that have frequently weighed against us: our lack of student selectivity and the lower starting salaries of our graduates.

"While there are a number of things that this School could do to improve its rankings with US News, there are two things that we are probably unwilling to change for the sake of a higher number," said Dean Bernstine. "We will not pick students solely on the basis of their LSAT's and undergraduate grade points and we will not push our students away from arguably lower paying jobs in the public interest sector or away from positions in the midwest with its lower cost of living, towards higher paying jobs elsewhere. If our graduates want the high-pay, high-prestige jobs we are, of course, pleased. But we will not influence them in either direction. Our graduates have distinguished themselves throughout the legal profession, and we should not sacrifice

the diversity of interests of our students for the sake of moving up in the rankings of some popular survey."

Do the rankings really indicate differences in quality? Or do they only indicate subjective differences in reputation. As a comedian on cable television recently said, if education is so much better at Harvard, does that mean that the faculties at lower-rated schools are deliberately holding back on facts?

Arguably, gross differences in rankings probably do reflect some differences in what is available from the various schools but also reflects different missions of the schools as well. A school among the top 25 probably sees itself as a national school, training its graduates for responsible positions anywhere in the country or world. A school among the bottom 25 may, on the other hand, see itself as training competent lawyers to represent clients in its own community. Whether one is better than the other is probably a question to be determined by individual applicants. The real issue is whether any given school is effectively fulfilling its stated mission.

Is the 22nd ranked school better than the 23rd or 24th? On any given day, on any given survey, perhaps. But in the larger scheme, there is probably no reason that one should be considered "better" than the other.

"That portion of the rankings that concerns me," reported Dean Bernstine, "is

the ranking of resources available to the faculty." In the latest US News survey our School rated no better than sixty-ninth. "We live and die by our faculty. While we have improved dramatically during the last decade, we obviously have a long way to go and are likely to be carried upward only by the addition of private funding

supplementing public funds."

The real ranking of law schools is how our own graduates feel about our successes or failures. That, in turn, is measured not by US News but by how generous they are in contributing support that helps us stay among the most select list of national law schools on any objective survey.

US NEWS & WORLD REPORTS RANKING OF LAW SCHOOLS

	1987	1990	1991	1992	1993
1st	Harvard)	Yale	Yale	Yale	Yale
2nd	Yale)	Chicago	Harvard	Harvard	Harvard
3rd	Michigan	Stanford	Chicago	Stanford	Stanford
4th	Columbia)	Columbia	Stanford	Chicago	Chicago
5th	Stanford)	Harvard	Columbia	Columbia	Columbia
6th	Chicago	NYU	Michigan	Michigan	NYU
7th	CA-Berkeley	Michigan	NYU	NYU	Michigan
8th	Virginia	Duke	Virginia	Virginia	Virginia
9th	NYU	Penn	Duke	Duke	Duke
10th	Penn	Virginia	Penn	Penn	Georgetown
11th	Texas	N'western	Georgetown	Georgetown	Penn
12th	Duke	Georgetown	CA-Berkeley	CA-Berkeley	CA-Berkeley
13th	Georgetown	CA-Berkeley	Cornell	N'western	N'western
14th	UCLA	Cornell	N'western	Cornell	Cornell
15th	Cornell	Vanderbilt	Texas	Texas	Texas
16th	N'western	Texas	USC	Vanderbilt	Vanderbilt
17th	Illinois)	USC	Vanderbilt	UCLA	UCLA
18th	USC)	UCLA	UCLA	USC	USC
19th	Minnesota)	Notre Dame	Iowa	CA-Hastings	Boston C.
20th	Wisconsin)	Boston C.	CA-Hastings	Notre Dame	Notre Dame
21st		NC	Wisconsin	Minnesota	G. Wash
22nd		CA-Davis	G. Wash	Boston C.	Wisconsin
23rd		Emory	Minnesota	Washington	CA-Hastings
24th		Wash & Lee	Notre Dame	G. Wash	Iowa
25th		Illinois	NC	Iowa	Minnesota

) *indicates a tie
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