

SCHOOL OF LAW BLUEPRINT FOR ACADEMIC EXCELLENCE AY 2015-16

I. Executive Summary

(1) Academic Dashboard Targets

Because the School of Law enrolls only post-baccalaureate students and because legal scholarship does not typically rely on external grant funding, most of the eight elements of the University Academic Dashboard are either inapplicable to the School of Law or do not provide an effective quality comparison with other law schools. However, at least some of the University Dashboard elements are easily translated into law school equivalents.

The School of Law uses the following elements for the Law School Academic Dashboard, selected to provide the best objective indicators available of the School of Law's performance as compared with peer and peer aspirant schools. Each reflects a University performance parameter, as indicated in italics.

- (1) Median entering full-time student LSAT scores; (*quality of students*)
- (2) Number of full-time J.D. students; (*enrollment*)
- (3) Student-faculty ratio; (*quality of the academic experience*)
- (4) Bar passage rate of graduates taking the bar exam for the first time in the state in which the largest percentage of graduates take the bar exam; (*outcome measure*)
- (5) Annual per capita average of faculty publications authored by full-time tenured and tenure-track faculty and published in top-50 law reviews or top-three specialty journals within a field (as defined by the Washington and Lee University Law School annual rankings of legal journals). (*scholarship productivity and quality*)

The attached charts indicate performance of the School of Law in each regard. Although these are useful measures, we emphasize that they are not exclusive measures of the quality of the School of Law, its students, or its faculty.

(2) Key Performance Parameters

The School of Law's goal of developing a strong national reputation as a vibrant educational institution with excellent teaching and a curriculum designed to prepare its graduates for modern practice is consistent with the key performance parameter of teaching excellence. The on-going hiring of excellent classroom teachers, and changes in curriculum to emphasize the skills and knowledge needed for transition into practice, indicate progress in this regard.

The goal of developing a strong national reputation for scholarship quality and productivity is consistent with that key parameter of the University. Three faculty in the past year finalized books for major University presses, several published major national casebooks, and a number of faculty have been invited over the past year to present papers at well-respected law schools. The respect given by other academics to South Carolina faculty for their scholarship is a significant indicator of progress, along with the number of books and articles published in major law reviews.

Law School faculty continue to serve in major roles on national and state law reform projects regarding non-profit organizations, commercial law, and probate law. The dean serves on an ABA Task Force on the Financing of Legal Education. Other faculty have raised law school involvement in key state and local advisory and service roles, advancing the service parameter of the University. The Center on Professionalism is establishing a significant presence in the national discussion of the future impact of technology on delivery of legal services.

II. Meeting Academic Dashboard Targets

University Academic Dashboard

The School of Law contributes directly to only three of the University's eight Academic Dashboard Components: Student-Faculty Ratio, Research Expenditures, and Faculty Productivity. The hiring of additional faculty has improved the student-faculty ratio within the School of Law in each of the past three years. That ratio should improve further in the next reporting year as new faculty expand their teaching loads, with no change in enrollment. However, other schools have achieved greater ratio reductions than ours through major cuts in their student populations. The Children's Law Center continues to be the School of Law's primary contributor to overall University research expenditures, and no major change is anticipated immediately in that regard. Faculty continue to seek prestigious appointments such as Fulbright Awards, and the School is committed to encouraging those efforts. The Law School is aggressively nominating faculty for awards, in an effort to build recognition leading to increased future consideration of our faculty for major national awards.

School of Law Academic Dashboard

(1) Median entering full-time student LSAT scores

Given the decrease in the national and local applicant pools over the past two years, the goal for Fall 2015 again is to enroll an entering class with a steady median LSAT score as compared to the past two years. Through March 20, 2015, applications to South Carolina are down by less than 1% from the same time in 2014. By comparison, through February 20, 2015, the national applicant pool was down 4.8% and the southeast regional pool was down 5.5% from 2014. Although it is encouraging that the applicant pool to South Carolina has not diminished at the same rate as at other schools, those schools are competing aggressively for students through awards of significant scholarship funding. South Carolina is at a significant competitive disadvantage in that regard and must attract students for other reasons. There is reason to be concerned that the current U.S. News ranking and the lack of adequate scholarship funds is hurting recruitment of students with strong academic records who have other law school options.

In an effort to overcome these difficulties, a strong admitted students day program is offered in March, and faculty and alumni from both in and outside of South Carolina recruit admitted students, encouraging the applicants to matriculate at South Carolina. Also, curricular depth created by the hiring of new faculty, strong employment numbers, and national recognition of our school as a value in a national publication have positioned the school to address concerns of prospective students about employment after law school and to assure students of the opportunity to engage in specific areas of academic inquiry.

(2) Number of full-time J.D. students

A number of schools have responded to the diminished applicant pool by shrinking their entering class (so as to maintain entering statistics) and relying more heavily on transfer students to recover lost income. We believe that the better long-term strategy for our school continues to

be to maintain our class size, even at the cost of some short-term deterioration of entering statistics. Given our current resources and our goals as a flagship state university, we anticipate remaining at our current enrollment size for the near future.

(3) Student-faculty ratio

This element is discussed under the sub-heading for University Academic Dashboard.

(4) Bar passage rate of graduates taking the bar exam for the first time in the state in which the largest percentage of graduates take the bar exam

The South Carolina bar passage rate of our graduates continues to fluctuate, generally in the low-to-mid 80% range. Among May 2012 graduates taking the July 2012 South Carolina bar exam, the pass rate was 81%. Among May 2013 graduates taking the July 2013 South Carolina bar exam, the pass rate increased to 88%. This past year, 80% of the May 2014 graduates taking the July 2014 South Carolina bar exam passed. The overall state pass rate for all exam takers (regardless of school) was 69.17 % in July 2012, 76.38% in July 2013, and 71.07% in July 2014. A full-time staff member at the School of Law provides a semester-long voluntary program designed to assist third-year students in preparing for the bar exam.

(5) Annual per capita average of faculty publications authored by full-time tenured and tenure-track faculty and published in top-50 law reviews or top-five specialty journals within a field (as defined by the Washington and Lee University Law School annual rankings of legal journals)

It remains difficult to identify a single reliable measure of scholarship quality and quantity. As a part of the accreditation self-study process, a working group within the school is attempting to identify appropriate measures of scholarly productivity. Difficulties arise both in acquiring equivalent data from other law schools and in ensuring that the parameters chosen provide an appropriate measure of productivity. In 2014, we were able to obtain data from two peer schools (Missouri and Kentucky), but have been unable consistently to receive comparable data from the same peer or peer-aspirant schools. In 2013, we received data only from LSU and for the two years prior we received data from Tennessee and LSU. Although the raw numbers suggest a downward trend in top-50 articles over the past several years, we believe those numbers are misleading as to scholarly productivity. Several very productive faculty have been working on books over the past two years, rather than writing law review articles. Five faculty published books in 2014, including three books under contracts with NYU Press (Zug), Oxford University Press (Said), and Yale University Press (Crocker). Associate Dean Miller has continued “works in progress” luncheons and has worked closely with faculty to assist in their publication efforts. New faculty receive senior mentors, and the School of Law has encouraged and funded faculty travel to speak at other schools and develop national reputations.

III. Law School Goals and Contribution to the University's Key Performance Parameters

Goal 1

Fully integrate new faculty into the academic program in a manner that provides students with adequate courses to complete graduation requirements and desired elective study within six semesters, provides adequate support for student academic success, ensures the long-term quality of the J.D. and LL.M. programs, and provides faculty with adequate support and opportunity to engage in robust scholarship production. [Teaching Excellence, Scholarship Reputation and Productivity]

Progress to Date:

- Hired five tenure-track assistant professors (4 white male, 1 white female), and one long-term contract legal writing instructor (white female), who joined the School of Law in Summer 2014, and a tenure-track law librarian (white male) who accepted a tenure-track position beginning in January 2015
- Hired a visiting assistant professor (minority female) from 2012-15 to begin as a tenure-track assistant professor in Summer 2015
- Enlarged a one-week KickStart program from 35 to 60 first-year students prior to orientation
- Operated 2d year of a professionally run 1L voluntary tutoring program and 3L voluntary bar-preparation program
- Continued a "speed-advisement" program to bring faculty advisement services to the student public spaces and encourage student use of advisement services
- The Associate Dean for Faculty Development continued regular programs at which faculty share works in progress and faculty have increased their sharing of works in progress for collegial feedback
- In 2014, faculty published 10 articles in top-50 journals or top-three specialty journals by field
- Required and reviewed summer research proposals and progress reports to ensure faculty production from summer stipends
- Created additional courses to enhance the transition to practice and provide opportunities to study the interface of technology and law
- Outfitted a classroom as a state-of-the-art technology "sandbox" to introduce cutting-edge technology to the teaching environment

Plans for Upcoming Year:

- Enhance coordination and enhance the number of clinics, capstones, externships, and other upper-level courses providing students with practical learning experiences
- Evaluate the optimal enrollment size of introductory core courses, balanced with the need for a robust selection of advanced or specialized electives
- Re-evaluate desirability of the proposed LL.M. program and consider a post-J.D. distance education family business certificate program as a possible alternative
- Offer an online legal writing course as a pilot for larger scale development of an online summer program
- Better integrate faculty participation in the student academic success program
- Create an online academic advisement program

Goal 2

Implement a clear strategic plan for increasing both the quality and quantity of the first-year applicant pool and enhancing the yield rate for matriculation of admitted applicants. For Fall 2016 admission, receive completed applications from not less than 75% of the total number of persons who register with the Law School Admission Council, identify themselves as South Carolina residents, and have an LSAT score of at least 155. [Service to State, Sustainability]

Progress to Date:

- A faculty and staff working group is completing a draft report as a part of the year-long reaccreditation process, detailing plans to address admissions challenges
- Applications received thus far from 64% of those meeting standard as set forth in same goal from last year
- Utilized modelling software and began to evaluate its utility in effectively utilizing limited scholarship resources
- Raised more than \$1.2 million in endowed scholarship funding
- Contacted all potential applicants who had registered with LSAC and met certain criteria, encouraging them to apply to South Carolina
- Attended major regional and national events and visited individual colleges within the region to provide information about South Carolina
- Hosted Liberty Fellow Middle School Pipeline Project

Plans for Upcoming Year:

- Focus recruitment on selected schools with good quality graduates and students likely to have an interest in South Carolina
- Visit 20 new schools in region to build relationships with pre-law advisors and pre-law organizations
- Target prospective students with interest in our areas of curricular strength
- Continue to develop accuracy of modelling outcomes
- Reinforce faculty and alumni contact with admitted students
- Provide some travel subsidy to encourage strongest applicants to visit campus
- Improve student ambassador contact with prospective students
- Develop range of printed materials highlighting aspects of academics and student life
- Develop undergraduate pipeline proposal

Goal 3

For 2015 graduates who are admitted to a bar, achieve an employment rate 9 months after graduation of not less than 75% in full-time, long-term jobs requiring bar passage. [Service to Profession, Sustainability]

Progress to Date:

- For class of 2013, nearly 69% of *all* graduates were employed in full-time, long-term jobs requiring bar passage, which was 32nd best in the nation. Final 2014 numbers are not yet available
- Continued a separate interview day for employers in Charleston

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- Proactively contacted small to mid-sized South Carolina law firms and South Carolina judges regarding employment needs
- Encouraged all students, beginning in the first year, to utilize career services assistance and continued existing programs to assist students

Plans for Upcoming Year:

- Develop new relationships with 20 mid-sized to large-sized out-of-state law firms not currently interviewing on campus, offering to make law students available for video interviews
- Develop new relationships with at least 10 additional judges in North Carolina and Georgia regarding the availability of South Carolina graduates for judicial clerkships

Goal 4

Grow existing non-tuition revenue streams and develop additional sources of funding for the academic programs of the School of Law. [Sustainability]

Progress to Date:

- Faculty approval of LL.M. proposal
- South Carolina Legal Writing Academy was initiated, but not repeated due to poor enrollment
- Part-time development officer has enhanced annual giving program and increased percentage of alumni giving annually to the School of Law to 9% in FY 2015

Plans for Upcoming Year:

- Increase alumni percentage giving annually to the School of Law to 10% in FY 2016
- Develop plans for an on-line, post-J.D. certificate in family business law including governance and succession planning
- Ensure that each alumnus or alumna has not fewer than six contacts per year with the School of Law through the School's alumni or development efforts
- Explore possibility of student entrepreneurial efforts to create intellectual property with the School of Law as a participant

Goal 5

Increase programmatic efforts of the Rule of Law Collaborative with goal of creating a body of work to support grant funding for a Center. [Scholarship Reputation, Service to State, Nation and World]

Progress to Date:

- The School of Law supports faculty participation in the Rule of Law collaborative and has two recent hires with particular expertise in the field; Professor Joel Samuels has begun service as director of the Rule of Law Collaborative
- The School is co-sponsoring visits to campus by various individuals with expertise in Rule of Law issues

Plans for Upcoming Year:

- Help to develop strategic plan for implementation and funding of Rule of Law Center

FIVE-YEAR GOALS

Goal 1

Significantly elevate the national stature of the School of Law while fulfilling the Law School's public mission within the State of South Carolina. [Service and Scholarship Reputation]

- Achieve annual faculty placement of 15-20 articles in top-50 law reviews or top-three specialty journals within a field (as defined by Washington and Lee Law School annual rankings of Journals) (or equivalent success in book placements with major law publishers)
- Establish a nationally recognized, endowed Rule of Law Center; obtain approval of and fully implement a nationally recognized certificate program in Children's Law involving the Children's Law Center. (Latter Goal Achieved in 2014)
- Develop a unified marketing and communications strategy for the School of Law
- Encourage active faculty leadership in professional and academic associations or in similar professional service activities related to their field of expertise
- Develop a schedule for hosting national and regional conferences in the new law school facility

Goal 2

Fully staff a curriculum that meets core needs; provides each student with a clinic, practicum, or externship opportunity while in law school; and provides greater depth of study in children's law, business counseling and entrepreneurship, environmental law, rule of law, and professional leadership. [Teaching Excellence, Service to State and Profession]

- As hiring of 10 new tenured or tenure-track full-time faculty is completed by 2015, departing and retiring faculty will be replaced
- Additional tax and clinical faculty are a hiring priority, as are additional capstone courses and externships

Goal 3

Construction (begun in 2014) and occupation of new law school building designed to enhance academic programs and reputation; raise \$5 million in new gifts and pledges for scholarship endowment in addition to annual scholarship contributions. [Sustainability]

Goal 4

Develop entrepreneurial post-J.D. and community education programs. [Sustainability, Service to State, and Profession]

Goal 5

Develop a clear, comprehensive strategic plan for future development of the School of Law. [Sustainability]

IV. Proposed Use of Additional Resources/Reduction in Program

Additional resources would be utilized to expand the academic assistance program for students to improve academic success and bar exam preparation, to increase the number of simulated practice experiences (capstone courses) for third-year students, and to enhance recruitment of potential students. Assets also could be used as seed funding for a Center for Family Business Law, which would become a revenue stream for the School of Law as it develops a post-JD certificate or degree program for lawyers representing family owned businesses.

A cut in resources would likely result in a decision not to fill one or more faculty positions upon retirements, a decision not to continue to rehire emeritus faculty on a contract basis for teaching, a reduction in library acquisitions, and, if necessary, a reduction in the amount of “A” funds used for student scholarship support. If necessary, one or more existing staff positions would be eliminated.

**APPENDIX A
 Resources Needed**

Goal No.: 2015-16 Goal 1; Five-Year Goal 2			
Type of Resource	Existing	Additional	Strategy
Add'l faculty	Provost Commitment; Replace Retiring Faculty		To fill critical needs in tax and clinics, strategic areas of focus

Goal No.: 2015-16 Goal 2; Five-Year Goal 4			
Type of Resource	Existing	Additional	Strategy
Staff (Assistant Admissions Director) for recruitment	Operating funds saved as senior faculty retire		Position advertised; to be filled by mid-2015, to enhance recruitment of applicant pool

Goal No.: 2015-16 Goal 4; Five Year Goal 2			
Type of Resource	Existing	Additional	Strategy
Part-Time Fellows to Work with Center	\$250,000 private funds already pledged		To enhance reputation and encourage student entrepreneurship
Adjunct Faculty	Operating funds saved as senior faculty retire	Solicited annual or endowed contributions	Staffing of each course requires 3 adjunct faculty at \$5,000 each

Goal No.: Five-Year Goal 4			
Type of Resource	Existing	Additional	Strategy
1 Add'l Faculty	One Regular Hiring slot	Income from LL.M. or Post-JD Certificate Program Tuition	Move toward Center for Family Business Representation
Technology			Exact needs not yet known.

Goal No.: Five-Year Goal 5			
Type of Resource	Existing	Additional	Strategy
Consultant			No current funding strategy.

APPENDIX B
Benchmarking Information

Top-10 Public Law Schools. In March 2015, the top-ten public law schools as ranked by *U.S. News and World Report* were as follows (the parenthetical number indicates the school's overall ranking among all law schools, public or private):

University of Virginia (tied for 8)
University of California-Berkeley (Boalt Hall) (tied for 8)
University of Michigan (11)
University of Texas (15)
UCLA (16)
University of Minnesota (tied for 20)
University of Alabama (tied for 22)
University of Iowa (tied for 22)
Arizona State University (tied for 26)
University of Washington (28)

Peer Law Schools. The School of Law has selected the following peer law schools by considering the following factors: (1) peer institutions of the University; (2) connection with a major public research university; and (3) number of full-time J.D. students enrolled. (The parenthetical indicates the school's March 2015 *U.S. News* ranking.)

University of Kentucky (tied for 63)
University of Missouri-Columbia (tied for 59)
University of Kansas (tied for 67)
Louisiana State University (tied for 94)
University of Tennessee (tied for 52)

APPENDIX C
Top Strengths and Important Recent Accomplishments

1. Expanded curricular offerings. New capstone courses and renewed emphasis on clinical education and skills training, including the children's law certificate program, place the School of Law near or in the vanguard of curriculum reform nationally. Our students also have unique access to educational opportunities at the National Advocacy Center.
2. Faculty have book contracts with major academic presses (Yale, NYU, Oxford) and are authoring major national casebooks in several fields.
3. University investment in the School has attracted high quality new and lateral faculty hires. Retention of existing faculty has stabilized.
4. Graduates are in positions of national leadership in the profession, including presidents of the American Bar Association and the American Board of Trial Advocates, raising the profile of the School.
5. Recent graduates have established and maintained a record of excellence as graduate students at the leading national graduate tax (LL.M.) programs at NYU, Florida, and Georgetown.
6. School has maintained national leadership in lawyer mentoring.
7. School has an energized and engaged student body; expanded career services efforts have enhanced individual counseling and assistance for students in their job search.
8. School remains a national leader in pro bono student volunteer opportunities, with expanding pro bono offerings for students in the community.
9. Law students serve as the editorial board of one of the nation's most widely circulated law reviews, the American Bar Association Real Property, Trust & Estate Law Journal.
10. Significant improvement in course offerings on intersection of law and technology.

APPENDIX D
Weaknesses and Plans to Address Needs

1. *Shrinking National Applicant Pool* – We have adjusted entry criteria to maintain class size in light of reduced national applicant pool. We are developing additional marketing materials and have enhanced our web and social media presence to make potential students aware of the opportunities available at South Carolina and to publicize favorable hiring and bar passage information. We have acquired new analytic tools to predict yields more efficiently and have engaged faculty, alumni, and students in personal recruitment of students. Plans have been made to build relationships with more regional undergraduate schools likely to produce good applicants. Major scholarship donations have been solicited and promised, but additional funds remain a *critical* need. The need continues to exist for one additional admissions recruiter.
2. *Low National Ranking: Impact on Student and Employer Recruitment* – After progressing in two US News rankings from 109 to 93, the law school was ranked 94 this year. Some peer schools have moved forward and others have slipped backwards in the same period. Strong placement statistics, an improving student-faculty ratio, and favorable bar passage numbers compared to the state average are responsible, at least partly, for the improvement in rankings. A communications director hired in 2013 is working aggressively within available resources to establish a clear identity for the school. We are encouraging faculty leadership in national academic and professional organizations to raise the School’s profile. Career services has begun to use technology to encourage interviews of our students by out-of-state employers who do not come to campus.
3. *Condition of Facility* – Construction of the new facility began in Fall 2014.
4. *Lack of Communications Strategy* – We have upgraded our social media presence and have upgraded our web site prior to University conversion in order to improve communications with prospective students, current students, and alumni. We have developed a semi-annual alumni magazine and have hired a part-time annual giving director to enhance contact with alumni. National marketing efforts to academic audiences have focused on announcements of major conferences, symposia, and hiring.
5. *Bar Passage Rate* – We have hired a full-time staff professional to provide academic assistance and voluntary bar preparation assistance. Bar passage rates compared to the state average have remained fairly steady, but the pass rate among first-time takers slipped slightly from the prior year. Because of decisions by bar preparation companies operating independently of the Law School to raise prices and remove some state-specific coverage, fewer graduates are utilizing fully this traditionally important preparation tool.
6. *Student Academic Advisement* – A disconnect currently exists between information availability and student awareness of the information. Student use of advisement services has been almost non-existent. “Speed advisement,” started in March 2014 has more effectively engaged students in available advisement services.

APPENDIX E
Statistical Data for School of Law

1. Number of Entering Freshmen

Not Applicable

2. Freshman Retention Rate

Not Applicable

3. Sophomore Retention Rate

Not Applicable

4. Number of Majors Enrolled:

First Professional*

Fall 2011	686
Fall 2012	648
Fall 2013	621
Fall 2014	621

* In some years, data retained by Law School and reported to ABA differs, apparently due to differing reporting dates

5. Number of Entering First Professional Students and Median LSAT:

<u>Year</u>	<u>Number</u>	<u>LSAT</u>
Fall 2011	213	158
Fall 2012	213	157
Fall 2013	209	155
Fall 2014	212	155

6. Number of Graduates:

First Professional

Fall 2013	9
Spring 2014	192
Summer 2014	2

7. 4-year, 5-year, 6-year Graduation Rates

Not Applicable

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8. Total Credit Hours Generated by Unit Regardless of Major:

Fall 2013	9,084
Spring 2014	8,991
Summer 2014	565

9. Percent of credit hours by undergraduate major taught by faculty with highest terminal degree

Not Applicable

10. Percent of credit hours by undergraduate major taught by full-time faculty

Not Applicable

11. Number of Faculty

	<u>Fall 2012</u>	<u>Fall 2013</u>	<u>Fall 2014</u>
Department of Legal Studies			
Tenured/Tenure Track			
Professor	15	16	17
Associate Professor	14	16	11
Assistant Professor	3	1	7
Non-Tenure Track Legal Writing Instructors (Full-Time)	7	7	7
Adjunct	22	22	27
Department of Clinical Legal Studies			
Tenured/Tenure Track			
Professor	1	1	1
Associate Professor	2	3	2
Assistant Professor	1	1	1
Law Library			
Tenured/Tenure Track Law Librarian	8	7	7

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12. Current number and change in the number of tenure-track and tenured faculty from underrepresented minority groups from FY 2012.

	Fall 2012	Fall 2013	Fall 2014	Change Fall 12/Fall14
Black or African/ American	4	4	2	-2
Asian	2	2	2	None
N/R Alien	1	1	1	None
Two or More races	0	0	1	+1
Female	10	11	12	+2

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APPENDIX F
Statistical Research Data for School of Law

Total External Award Funding FY 13: \$4,645,228

Children's Law Center	\$ 4,615,228
School of Law	\$ 30,000

Sources of Funding:

Federal:	\$3,750,873
State:	\$ 754,650
Local:	\$ 10,000
Philanthropy	\$ 129,705

Information from <http://sam.research.sc.edu/awards.html>

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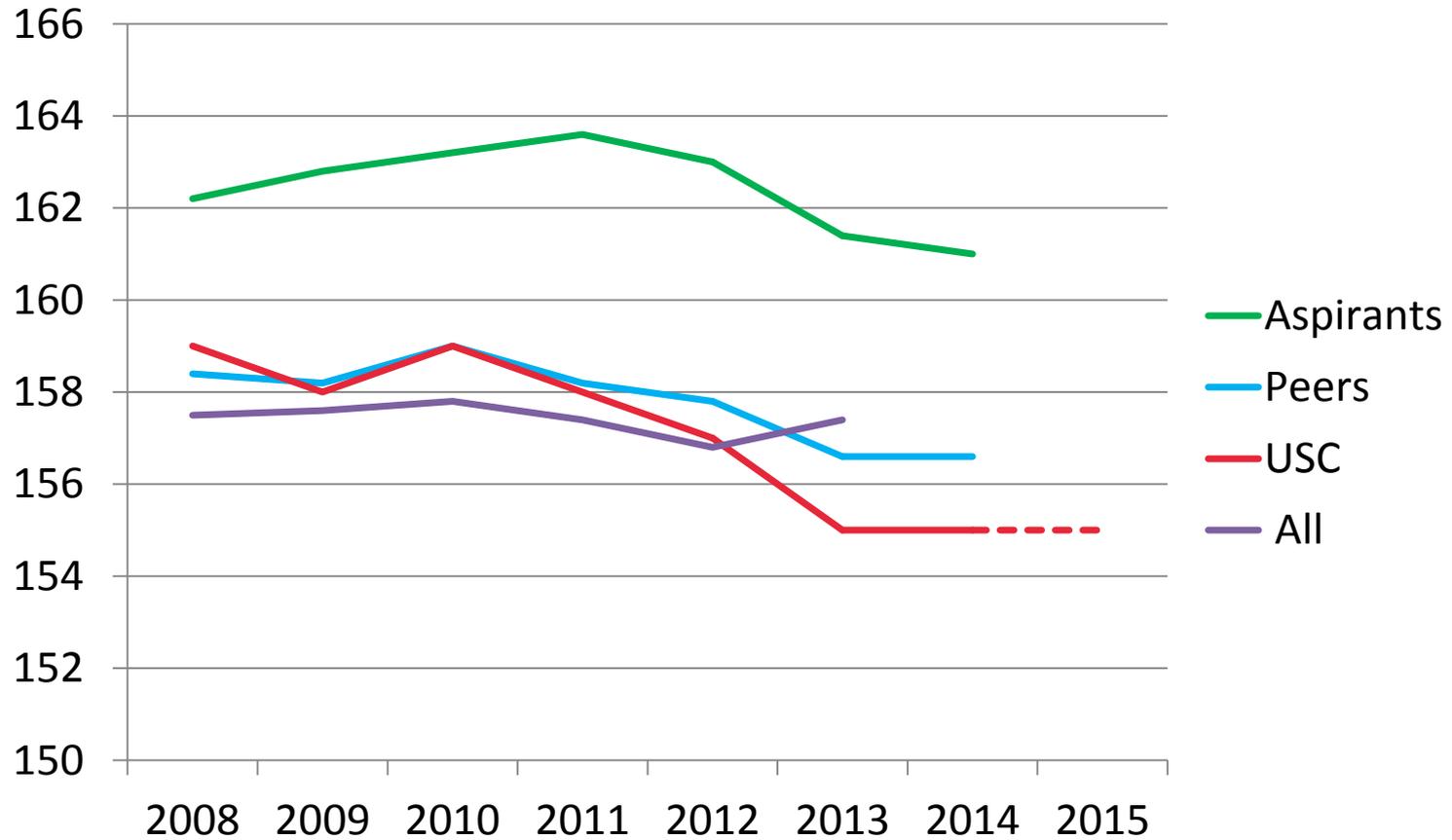
Peer Aspirant Law Schools

University of Maryland
University of North Carolina-Chapel Hill
University of Georgia
University of Alabama
The Ohio State University

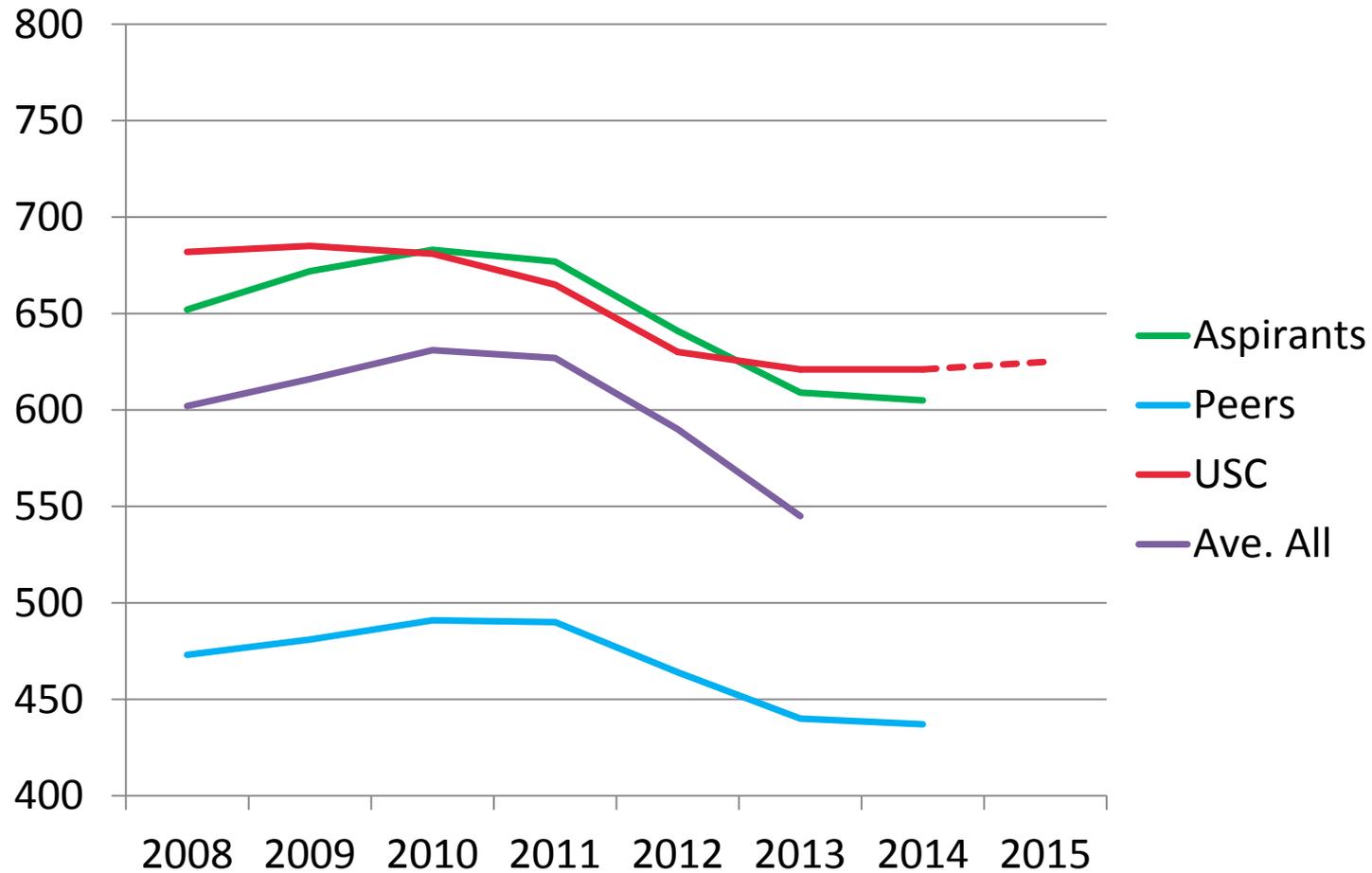
Peer Law Schools

University of Kentucky
University of Tennessee
University of Missouri-Columbia
Louisiana State University
University of Kansas

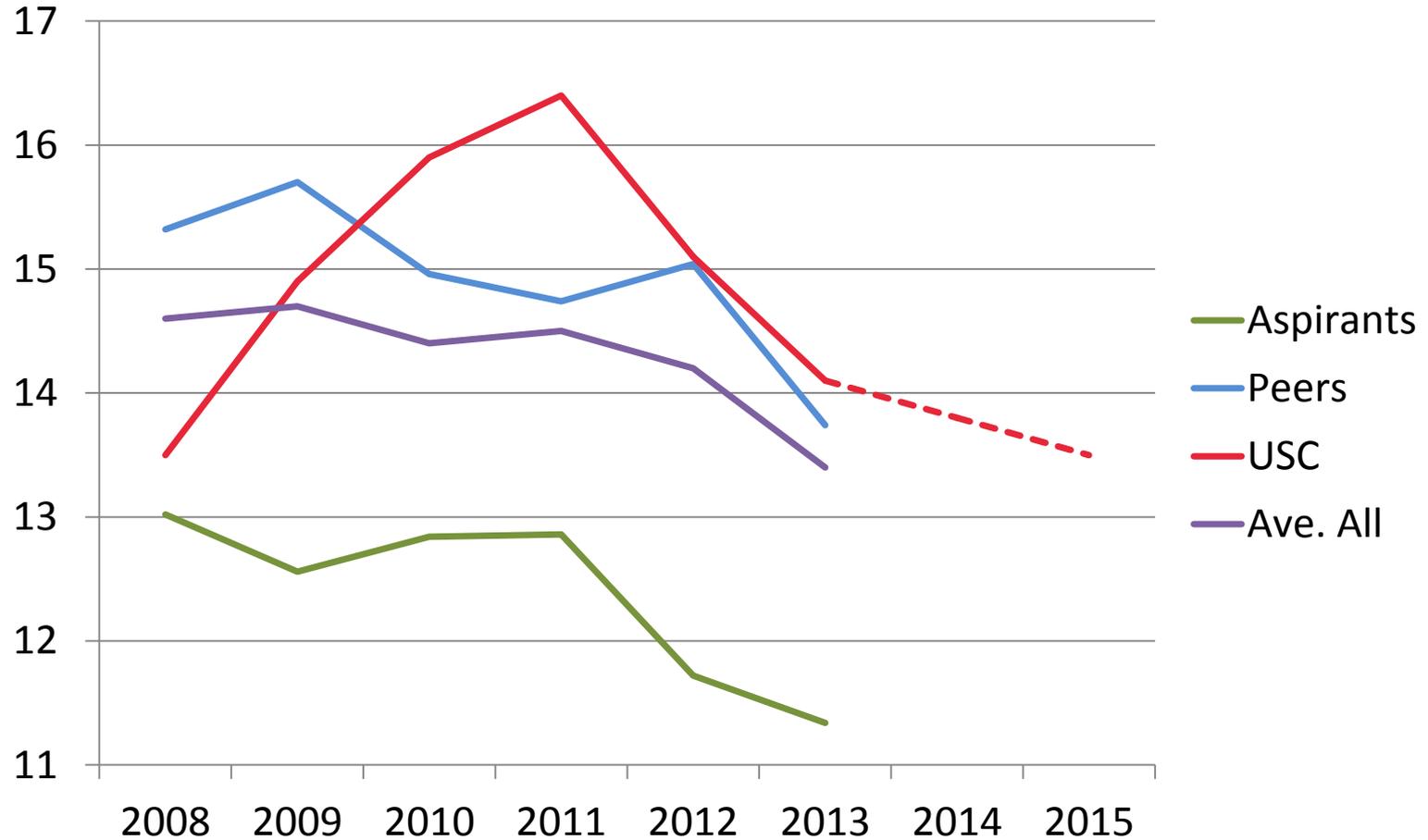
No. 1: Median Entering-Class LSAT



No. 2: Total Fulltime JD Enrollment



No. 3: Student-Faculty Ratio



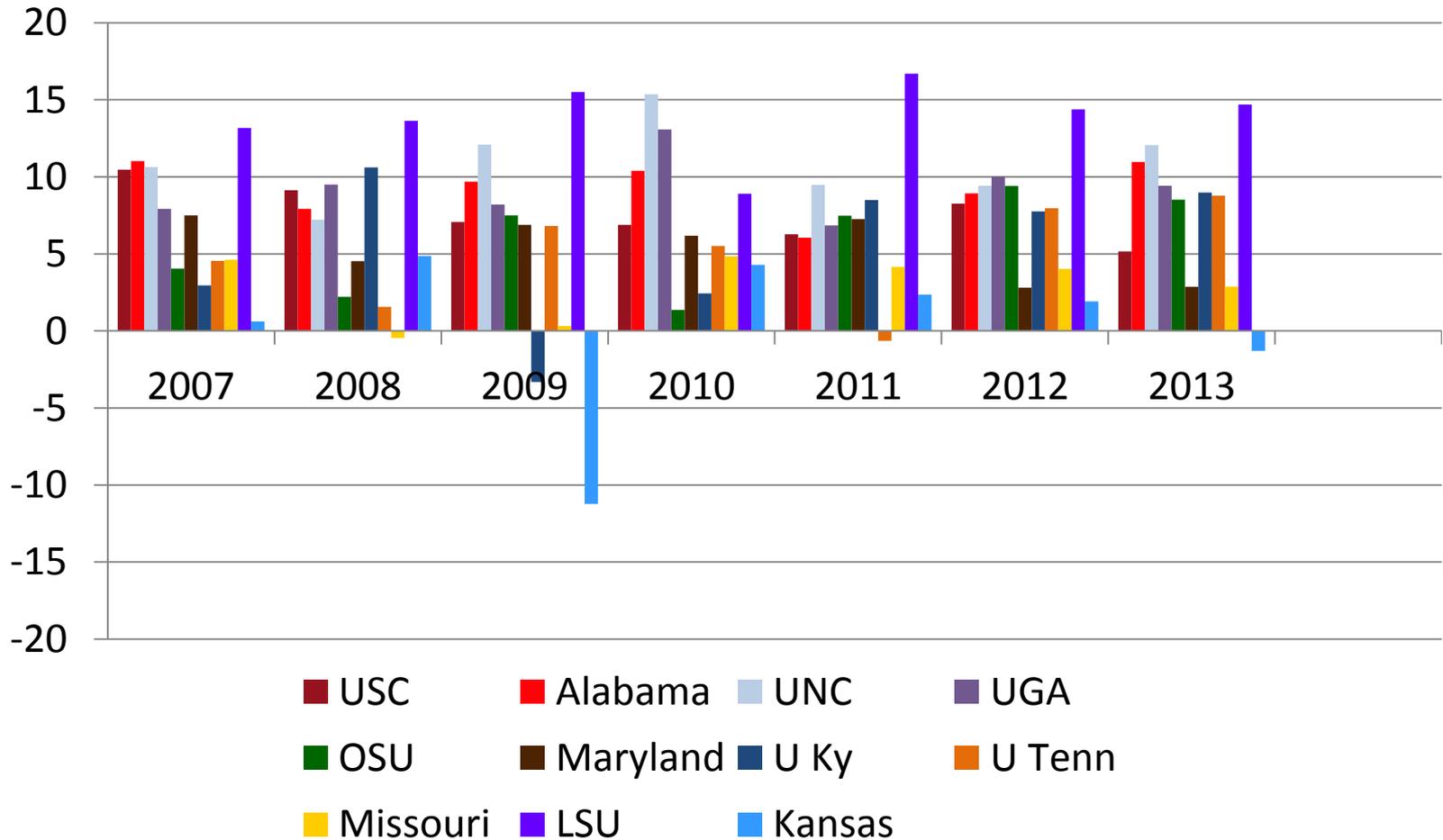
Bar Passage Rate

This number reflects the school's bar passage rate in the state with the most graduates of that school taking the exam.

Bar Passage Rate Differential to State Average

This number reflects the difference between the school's bar passage rate in the state with the most graduates of that school taking the exam and the overall bar passage rate in that state.

No. 4: Bar Passage Rate Differential to State Average



No. 5: Publications in Top-50 Law Reviews and Top-5 Specialty Journals

