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THE PROFESSIONAL EXPLORATION PROGRAM: AN ALTERNATIVE LAW SCHOOL ADMISSION PROCESS

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I. HISTORY AND BACKGROUND

Thomas M. Cooley Law School (“Cooley”) was founded in 1972 in Lansing, Michigan by then Michigan Supreme Court Justice Thomas E. Brennan, Sr.² Judge Brennan left a prestigious judicial career to create a law school for the average person, not the academic elite.³ Why did he do that? The answer is quite simple. His philosophy was that everyone, regardless of social class, previous academic performance or financial ability should have the opportunity to attend law school and receive a juris doctor degree if they chose to do so and were hard working enough to commit the time and energy it takes to complete such a rigorous postgraduate curriculum.⁴

The law school was named for Thomas McIntyre Cooley, LL.D., a legal scholar and practicing attorney of the 19th century.⁵ He was Chief Justice of the Michigan Supreme Court from 1864 to 1885.⁶

Cooley’s mission “is to prepare its graduates for entry into the legal profession” which includes “providing broad access to those who seek the opportunity to study law”.⁷ Cooley’s founding principles were based on access to legal education for all who sought it out. Cooley

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² See <http://www.cooley.edu/overview/abouthistory.htm>.

³ See generally Thomas E. Brennan, Sr., *Starting a Law School*, which is a series of articles written by Judge Thomas E. Brennan, Sr. for several Detroit Legal News publications and currently on file at Thomas M. Cooley Law School; See also <http://www.cooley.edu/overview/thomasbrennan.htm>.

⁴ See generally *id.*

⁵ See <http://www.cooley.edu/overview/abouthistory.htm>.

⁶ See http://www.micourthistory.org/chief_justices.php.

⁷ See <http://www.cooley.edu/overview/abouthistory.htm>.

flourished over the next thirty-five years and by design became the largest American Bar Association accredited law school in the country.⁸

In 1972, an African-American police officer enrolled at Cooley and became its first African-American student and its first African-American graduate.⁹

[That graduate] later became the first [African-American] district court judge in Ingham County, Michigan. Little did [the founders] know in those early days that Cooley Law School would one day become the largest accredited law school in America, or that it would consistently enroll and educate more African-American law students than any other law school in the nation, including such celebrated [historically black] colleges and universities as Howard and Texas Southern.¹⁰

Cooley has been admitting, and granting law degrees to people from underrepresented populations since its inception. Approximately 28%¹¹ of Cooley's student population is made up of minorities.¹² And currently, the Diverse Issues in Higher Education website ranks Cooley first in the nation in law school degrees awarded to minorities overall.¹³

Consistent with Cooley's mission, it is no surprise that the entrance standards to enroll as a student at Cooley while it was in its infancy were fairly low which enabled the majority of those who applied to be granted admission. However, over its thirty-five year period of growth these entrance standards slowly crept upward in response to various requirements of the American Bar Association, Cooley's accrediting body, as well as the desire to maintain adequate bar passage rates. This rise in entrance standards logically resulted in a smaller applicant pool, both from underrepresented populations and represented populations. In an effort to capture these lost prospective students, in particular those from underrepresented populations, who may

⁸ See generally *id.*

⁹ Brennan, *supra* note 3, at 4.

¹⁰ *Id.* at 4.

¹¹ All percents referenced in this paper are rounded to two digits.

¹² See generally Thomas M. Cooley Law School's 2011 report to the American Bar Association Section of Legal Education and Admissions to the Bar. It is noteworthy that 3% of the population's race/ethnicity is unknown and 6% are classified as nonresident aliens which very likely includes additional minorities.

¹³ See Diverse Magazine, *Diverse Issues in Higher Education: Top 100 Graduates* at <http://diverseeducation.com/top100/GraduateDegreeProducers2011.php>

have been granted admission under the early entrance standards, Cooley developed an alternative admissions mechanism, namely a qualifying program.

The idea for an alternative admission program began in July 2001 when Cooley's Associate Dean of Faculty and its Coordinator of Institutional Research developed a study to determine whether the Law School Admission Test ("LSAT") writing sample could be used as an assessment tool in the admission process. Currently, the LSAT score and the undergraduate grade point average (UGPA) are the only two factors used to determine the entrance index at Cooley, which is the standard for admission eligibility. On average, the academic attrition rate for students with low LSAT scores is high, but some students with low LSAT scores do tremendously well and succeed. This study tested the following hypothesis: (1) that students with good writing skills have a higher probability of law school success; and (2) that the LSAT writing sample could be an effective assessment tool for admission to Cooley.

The study seemed to indicate that the writing sample is a strong predictor of academic success and first-year law school grade point averages (GPA). The results of the study offered some support for including an assessment of the LSAT writing sample in the admission criteria. Further, the results of the study suggested that consideration be given for using the LSAT writing sample as a key criterion for participation in an alternative admission process or "qualification program" with a view toward consideration of admission to the law school.

Taking those study results to heart, in 2003 Cooley formally developed its alternative admission program and called it the Professional Exploration Program ("PEP"). While other law schools have qualification programs, typically they place specially admitted individuals in two or more substantive law classes and then admit them as students on the basis of their grades in those courses. Cooley wanted its qualification program to be different and one that would incorporate additional important components other than simply placing a prospective student in a law school classroom to see if they would sink or swim. Cooley's alternative admissions program was developed to include legal analysis skill instruction, substantive law instruction by a faculty member, reading comprehension and vocabulary testing, personality and career-interest assessments and participant self-evaluation of their fitness to study the law. The program, over the course of a week, includes twelve hours of legal analysis skill training and nine hours of substantive law instruction. At the end of the week, participants take a quiz on the legal analysis

skill information and a final exam on the substantive law topic. After the program, the participants are evaluated by a PEP selection committee and are invited to matriculate, or not, based on the outcome of their overall efforts to learn to be successful in a simulated law school environment provided by the PEP. The PEP selection committee consists of the Associate Dean of Students and Professionalism, the Assistant Dean of Admissions, the Associate Dean of Enrollment and Student Services, the Associate Dean of Faculty, the Academic Resource Center¹⁴ Director and the PEP staff, which has included a Faculty Specialist, a Skills Instructor and a Coordinator.

To determine who is eligible to participate in the alternative admission program, Cooley assesses and scores an applicant's LSAT writing sample that is submitted with the individual's application for admission. Unbeknownst to them, individuals who apply to Cooley but do not meet the required LSAT or UGPA entrance index for regular admission have their respective writing samples evaluated. Individuals who score 2.5 or better out of 5.0 possible points on the writing sample are offered an opportunity to participate in the program. When an applicant is invited to participate in the PEP, they are informed of the review of their writing sample that precipitated their invitation.

Between the 2003 inception of the PEP and the end of the year 2011, fifty programs were conducted. During this period, 1,264 participants attended the programs and ultimately 734, or 58%, were granted admission to the school based on their performance. The success rate of those admitted is significant and is the basis for continuing this alternative admission process. Using the success rate as a benchmark, the question posed for evaluation to determine if the PEP is a viable alternative admission process is whether the LSAT writing sample serves as a predictor of first term academic success¹⁵ and ultimate overall academic success¹⁶, and whether the results of

¹⁴ Cooley's Academic Resource Center provides one-on-one and small group academic assistance.

¹⁵ First term academic success is defined as earning a passing grade, C (2.0) or better, in first term courses that typically include Torts I, Criminal Law and Contracts I, which also results in a first term GPA of 2.0 or better.

¹⁶ Academic success is defined as: (1) Graduated and received a juris doctor degree; (2) In good academic standing with a cumulative GPA of 2.0 or above; (3) Transferred to another institution while in good academic standing (cumulative GPA of 2.0 or above); or (4) Withdrew from Cooley while in good academic standing (cumulative GPA of 2.0 or above). Conversely, academic unsuccessfulness is defined as: (1) Academically dismissed; (2) Academic probation (cumulative GPA below 2.0); or (3) Withdrew from Cooley while on academic probation (cumulative GPA below 2.0).

the legal analysis skills quiz and final exam serve as a predictor of first term success and ultimate overall academic success.

II. PROGRAM SELECTION PROCESS - LSAT WRITING SAMPLE

The LSAT writing samples of those who apply to Cooley but do not meet its current entrance index standards are evaluated and given a score that ranges in nine steps from 1.0 to 5.0 (1.0, 1.5, 2.0, 2.5, 3.0, 3.5, 4.0, 4.5 or 5.0). The chairperson of Cooley's Research and Writing Department, who is a national leader in law school writing programs, developed the scoring rubric for evaluating the LSAT writing sample through a comprehensive and extensive writing sample study. In order to ensure the validity and reliability of the evaluation and scoring of the sample, a trained PEP staff member assesses and scores the writing samples. The LSAT writing sample rubric is summarized as follows:

- **SCORE 5** - A *five* paper presents a cogent, well-articulated analysis of the complexities of the issue and demonstrates mastery of the elements of effective writing.
- **SCORE 4** – A *four* paper presents a well-developed analysis of the complexities of the issue and demonstrates a strong control of the elements of effective writing.
- **SCORE 3** – A *three* paper presents a competent analysis of the issue and demonstrates adequate control of the elements of writing.
- **SCORE 2** - A *two* paper demonstrates serious weaknesses in analytical writing and contains numerous errors in grammar, usage, or mechanics that interfere with meaning.
- **SCORE 1** – A *one* paper demonstrates fundamental deficiencies in analytical writing skills.

The LSAT writing sample is the primary factor considered in choosing the participants who might attend the PEP and while all who score 2.5 or higher are invited to be participants, some invitees decline the invitation. Currently, about one-third of those invited choose to take advantage of the opportunity to attend this alternative admissions program with the possibility of being granted admission to Cooley.

The following table sets out the number of writing samples reviewed and assessed since the inception of the PEP in 2003 through the end of the year, 2011.¹⁷

The Number of LSAT Writing Samples Read and Assessed With the Corresponding Rubric Score

Rubric Score	Number of Samples in the Score Range
0	139
1	1,154
1.5	1,227
2	2,575
2.5	2,550
3	935
3.5	121
4	38
4.5	3
5	0
Total Writing Samples Read	8,742

It is noteworthy that 5,095 LSAT writing samples fell below the 2.5 score using the writing sample rubric. These individuals who fell below the bright line of 2.5 represent 58% of the population of samples that were scored. These individuals were not invited to attend the alternative admissions program as it was logical to infer that individuals who scored 1.0 or 2.0 on the writing sample would be more likely to have academic difficulty as law students than individuals who scored 2.5 or higher.

Of the remaining 3,647 samples that were evaluated, 2,550, or 70%, scored at the 2.5 level in the rubric. This would indicate that while the samples demonstrated weakness they did not demonstrate fundamental deficiencies in analytical writing skills. The remaining 1,097 samples scored 3.0 or better as defined by the rubric. There were no writing samples in the pool that scored at level 5.0 in the rubric.

¹⁷ It should be noted that a variable exists in the categorization of the writing sample scores. Since 2003 there have been approximately three different Cooley employees who have scored the writing samples. These individuals predated the current PEP staff member, the Skills Instructor, who has evaluated the writing samples since 2007. While each employee used the rubric to evaluate the writing samples, there may have been some variation in the interpretation of the sample itself and the application of the score.

All 3,647 applicants whose writing samples were scored 2.5 or higher were invited to attend the program. Approximately 65% of those invitees did not respond to the invitation or declined the invitation and presumably chose other career or educational options. Several invitees accepted the invitation but did not ultimately attend the program because their entrance index scores later increased sufficiently so that they were granted admission to Cooley, or other institutions, through the regular admissions process. A small number of individuals came to the program but then left during the course of the program and did not complete it for various personal reasons. An even smaller number of individuals completed the program but were subsequently granted admission to the school due to an increase in their LSAT score which resulted in an increase in their entrance index. These individuals were not included in the population studied for purposes of this evaluation. There were 1,264 individuals, or 35%, of the 3,647 who were invited, who accepted the invitation, participated in the program, completed the program and were voted on by the PEP selection committee to determine whether they should be granted admission to the school.

Of the 1,264 individuals that accepted the invitation and completed in the program, 734 of them, or 58%, were granted admission to the school. Conversely, 530 individuals, or 42%, completed the program and were not granted admission to the school.¹⁸ Currently, over half of the 734 participants, specifically 66%, that were granted admission are categorized as academically successful. In fact, this percentage is only a partial snapshot of the status of those 734 participants. Approximately 109 individuals from this group, or 15%, do not have an academic classification because they either did not accept the invitation to matriculate, accepted the invitation but have not yet matriculated or have matriculated but have not yet received first term grades. Therefore, these 109 individuals were removed from the information evaluated to determine success rates, thereby leaving 625 participants that could be classified academically. Of the 625 participants that have a classification of academically successful or unsuccessful,

¹⁸ Of the 530 participants that were not invited to matriculate, 390 of them (or 74%) scored 2.5 on the LSAT writing sample, 121 of them (or 23%) scored 3.0, thirteen of them (or 2%) scored 3.5, five of them scored 4.0 (less than 1%), and one of them (less than 1%) scored 4.5. None writing samples of this group scored at level 5.0 in the rubric.

more than three-quarters of them, specifically 78%, are classified as academically successful.¹⁹ This seems to demonstrate that Cooley is finding participants for the program with potential to succeed in law school. Cooley selects participants for the program who demonstrate the highest probability for success as law students.

III. ANALYSIS

a. Age

The average age of all 1,264 participants who attended the program from 2003 through 2011 is twenty-eight years. They have an average UGPA of 2.70 and an average LSAT score of 138. The average LSAT writing sample score for this group is 2.6. The averages in these categories for the 734 participants who were ultimately granted admission are almost exactly the same as the overall participant averages. The average age of the 734 participants that were granted admission is twenty-seven years, the average UGPA is 2.72, the average LSAT score is 139 and the average LSAT writing sample score is 2.6.

Age, UGPA, LSAT, and Writing Sample Averages of Participants Invited to Matriculate (by Program)

(*2nd = Two programs were held in certain months due to number of participants.)

Program	Age	UGPA	LSAT	Writing Sample
June 2003	26	2.86	138	3.1
October 2003	32	2.85	139	2.6
June 2004	26	2.84	142	2.6
October 2004	27	2.65	140	2.7
June 2005	25	2.57	140	2.8
June 2005 2 nd *	27	3.09	138	2.6
October 2005	26	2.81	140	2.7
October 2005 2 nd *	29	2.79	141	2.7
June 2006	28	2.89	139	2.8
June 2006 2 nd *	28	2.79	139	2.8
October 2006	26	2.88	141	2.7
October 2006 2 nd *	28	2.67	141	2.7
January 2007	25	2.67	142	2.8
February 2007	28	2.66	141	2.6
June 2007	25	2.71	139	2.6

¹⁹ The information evaluated to determine academic success included student grades and GPAs through the first semester of 2012 (January through April, 2012).

October 2007	25	2.70	139	2.5
November 2007	29	2.73	138	2.6
January 2008	25	2.66	140	2.6
February 2008	25	2.66	140	2.7
March 2008	26	2.64	139	2.8
April 2008	26	2.79	140	2.8
May 2008	30	2.61	140	2.8
May 2008 2 nd *	24	2.80	140	2.7
June 2008	25	2.60	141	2.7
June 2008 2 nd *	26	2.93	139	2.6
July 2008	24	2.75	140	2.7
August 2008	28	2.62	139	2.7
October 2008	25	2.47	140	2.5
November 2008	28	2.81	141	2.7
January 2009	25	2.50	140	2.6
March 2009	25	2.70	140	2.5
April 2009	28	2.70	140	2.7
May 2009	28	2.67	140	2.7
June 2009	24	2.80	140	2.8
July 2009	25	2.59	140	2.7
October 2009	28	2.72	139	2.8
November 2009	27	2.64	139	2.9
January 2010	27	2.70	139	2.7
February 2010	28	2.63	140	2.8
April 2010	29	2.74	139	2.6
May 2010	28	2.71	140	2.8
June 2010	28	2.74	138	2.7
July 2010	30	2.57	140	2.5
August 2010	27	2.75	138	2.7
October 2010	27	2.71	139	2.7
January 2011	29	2.66	138	2.6
March 2011	29	2.64	139	2.8
July 2011	29	2.88	139	2.8
August 2011	30	2.87	138	2.6
October 2011	27	2.71	139	2.7
Overall Averages	27	2.72	139	2.6

b. Gender and Ethnicity

The population studied for purposes of this evaluation includes 734 students who were granted admission to law school through the PEP process. This population includes 435, or 59%, females and 299, or 41%, males. One of the goals of the program is to attract minority, or

underrepresented, populations to Cooley. As the list below indicates, 452 that were invited to matriculate, or 62%, are from underrepresented ethnic populations, and 282 that were invited to matriculate, or 38%, are White, non-Hispanic. The gender and ethnic breakdown of those that attended the PEP during this period and were granted admission is as follows:

435 Female (59%)
299 Male (41%)

281 African American (38%)
62 Asian (8%)
15 Mexican American (2%)
8 Puerto Rican (1%)
42 Other Hispanic (6%)
282 White, non-Hispanic (38%)
34 Other, multiracial (5%)
8 Did Not Indicate (1%)
2 Native American (less than 1%)

Since Cooley is determining who will be invited to attend the PEP based on the LSAT writing sample score, then it seems logical to investigate whether there is a relationship between that score and first term academic success and overall academic success. Further, since Cooley is determining which PEP participants will be invited to matriculate based on the results of the legal analysis skills quiz and the final exam, then it also seems logical to investigate whether there is a relationship between those results and first term academic success and overall academic success.

c. LSAT Writing Sample Score, Skills Quiz and Final Exam Analysis

i.) LSAT Writing Sample Score Analysis

Of the fifty programs that were conducted between 2003 and 2011, the average LSAT writing sample score of those participants who were invited to matriculate was 2.6. Interestingly, the average writing sample score of those that matriculated and are categorized as academically successful students is slightly higher at 2.7. Of the fifty programs conducted, only forty-eight programs had students that could be categorized as successful or unsuccessful. The other two programs did not have any students that were successful or consisted of students that have not yet matriculated.

In comparing writing sample scores of all those who were invited to matriculate to those who did matriculate and were ultimately academically successful, it is noteworthy that twenty-five of the applicable forty-one programs had participants who became successful students whose writing sample average score was either the same as or higher than the overall average of all participants invited to matriculate. The chart below lists the average writing sample score for all participants who were invited to matriculate, the number of those matriculants who are successful students and the average writing sample score for those matriculants who are academically successful.

Writing Sample Averages of
Participants Invited to Matriculate (by Program)
Compared to Average Writing Sample Averages of those Matriculants
who became Successful Students

(*Students in this program have matriculated but have not yet received first semester grades in order to classify them as successful or unsuccessful, or many students have accepted the invitation to matriculate but have not yet matriculated.)

(** None of the students in this program have matriculated.)

Program	Average Participant Score	Number of Successful Students	Successful Student Average Score
June 2003	3.1	0 / 3	N / A
October 2003	2.6	6 / 7	2.7
June 2004	2.6	4 / 4	2.6
October 2004	2.7	8 / 15	2.6
June 2005	2.8	7 / 13	2.8
June 2005 2 nd	2.6	11 / 16	2.6
October 2005	2.7	18 / 20	2.6
October 2005 2 nd	2.7	8 / 13	2.7
June 2006	2.8	13 / 17	2.8
June 2006 2 nd	2.8	8 / 15	2.8
October 2006	2.7	13 / 18	2.7
October 2006 2 nd	2.7	17 / 21	2.7
January 2007	2.8	3 / 9	2.7
February 2007	2.6	12 / 17	2.6
June 2007	2.6	13 / 20	2.6
October 2007	2.5	16 / 21	2.6
November 2007	2.6	5 / 8	2.6
January 2008	2.6	14 / 17	2.6
February 2008	2.7	9 / 11	2.7

March 2008	2.8	6 / 8	2.8
April 2008	2.8	5 / 6	2.9
May 2008	2.8	5 / 5	2.8
May 2008 2 nd	2.7	7 / 9	2.7
June 2008	2.7	6 / 6	2.7
June 2008 2 nd	2.6	7 / 8	2.5
July 2008	2.7	9 / 9	2.6
August 2008	2.7	9 / 13	2.9
October 2008	2.5	3 / 4	2.5
November 2008	2.7	5 / 5	2.6
January 2009	2.6	5 / 6	2.7
March 2009	2.5	8 / 10	2.6
April 2009	2.7	13 / 14	2.7
May 2009	2.7	8 / 11	2.8
June 2009	2.8	11 / 15	2.7
July 2009	2.7	11 / 15	2.7
October 2009	2.8	21 / 26	2.9
November 2009	2.9	24 / 26	3.0
January 2010	2.7	14 / 18	2.7
February 2010	2.8	15 / 15	2.8
April 2010	2.6	13 / 17*	2.6
May 2010	2.8	6 / 6	2.9
June 2010	2.7	10 / 13	2.7
July 2010	2.5	8 / 9*	2.5
August 2010	2.7	16 / 18*	2.7
October 2010	2.7	13 / 18*	2.7
January 2011	2.6	21/22*	2.6
March 2011	2.8	13/17*	3.0
July 2011	2.8	8/8*	2.9
August 2011	2.6	3/3*	2.6
October 2011	2.7	0/18**	N/A
Overall Average	2.6	488 / 625	2.6

Of the 734 participants who were invited to matriculate, 109 were removed from the data evaluated to determine success rates because they do not have an academic classification. These individuals cannot be classified because: (a) they did not accept the invitation to matriculate; (b) they did accept the invitation but have not yet matriculated; or (c) they have matriculated but have not yet established an academic standing. Removing 109 individuals from the population evaluated leaves 625 participants with an academic classification. Of the 625 participants who matriculated, 412 had a writing sample score of 2.5 and 213 had a writing sample score above 2.5. The academic success rate of those who scored at the 2.5 level was compared to the

academic success rate of those who scored above the 2.5 level. The chart below lists the writing sample scores and corresponding academic categories.

Writing Sample Score	Successful Students	Unsuccessful Students	Success Rate
2.5 = 412 students	314	98	76%
3.0 = 182 students	153	29	84%
3.5 = 24 students	17	7	71%
4.0 = 7 students	4	3	57%
Total: 625 students	488 (78%)	137 (22%)	

As the above information indicates, of the 412 who scored 2.5, 314 of them, or 76% of that group, were successful, ninety-eight of them, or 24% of that group, were unsuccessful.²⁰ There were 182 participants with a writing sample score of 3.0. One hundred fifty-three of them, or 84% of that group, were successful, twenty-nine of them, or 16% of that group, were unsuccessful. There were twenty-four participants with a writing sample of 3.5. Seventeen of them, or 71% of that group, were successful, seven of them, or 29% of that group, were unsuccessful. Lastly, there were seven participants with a writing sample of 4.0. Four of them, or 57% of that group, were successful students and three of them, or 43% of that group, were unsuccessful.²¹

For those participants for whom the above information allows them to be academically classified as either successful or unsuccessful, the comparison revealed that those students with higher writing sample scores were no more likely to be academically successful than those with lower writing sample scores. The participants who scored 2.5 on the writing sample succeeded at a rate of 76%. Those who scored 3.0 on the writing sample succeeded at a rate of 84%. Those who scored 3.5 on the writing sample succeeded at a rate of 71%. And finally, those who scored 4.0 on the writing sample succeeded at a rate of 57%. It is interesting to note that those who

²⁰ The information evaluated to determine academic standing classification included student grades and GPAs to through the first semester of 2012 (January through April, 2012).

²¹ There were no participants in this category of programs (June 2003 – end of the year 2011) with a writing sample score higher than 4.0.

scored 3.0 on the writing sample had the highest rate of success and those who scored 4.0 on the writing sample had the lowest rate of success.

Comparing participants’ writing sample scores to first term grades and first term GPAs produced varied results. Participants who are invited to matriculate and become students at Cooley typically take three first term courses: Torts I, Contracts I and Criminal Law.²² Of the 734 participants who were invited to matriculate, only 625 received first term grades because the remaining 109 students either did not accept the invitation to matriculate, did accept the invitation but have not yet matriculated or accepted the invitation and have matriculated but have not yet received their first term grades. The average first term GPA for students enrolled at Cooley through this alternative admissions process, most of whom took three first term classes, is 2.34, which is the upper end of a “C” average. The following chart outlines the average first term grade and GPA for those participants who were invited to matriculate, categorized by writing sample score.

Writing Sample Score	Average First Term GPA	Average Torts I Grade	Average Crim Law Grade	Average Contracts I Grade
2.5 = 412 students	2.31	2.4	2.4	2.3
3.0 = 182 students	2.46	2.4	2.5	2.5
3.5 = 24 students	2.09	2.1	2.0	2.1
4.0 = 7 students	1.93	1.9	1.9	2.0

In comparing the average grades for these courses and the average first term GPA with the writing sample score categories, it is interesting to note that the group with the highest first term grades and GPA were the participants who scored 3.0 on their LSAT writing sample and those with the lowest first term grades and GPA were the participants who scored 4.0 on the writing sample.

What this seems to suggest is that those with higher writing sample scores on average are no more likely than those with a lower writing sample score to be academically successful in their first term of law school. This could be attributed to the fact that the question prompt on the

²² First term students are also required to take an Introduction to Law class which is a pass / fail course and is not given a letter or numerical grade and is, therefore, not factored in to their first term GPA.

writing sample portion of the LSAT only directs the test-taker to make a generic argument about a particular fact pattern which equates to simply identifying the positive and negative aspects of two different alternative outcomes to a given situation. The question prompt does not direct the test-taker to formulate legal arguments through a legal analysis process based on applicable laws or legal theories as participants are taught to do in the PEP.

ii. Skills Quiz Analysis

During the course of the program the participants are given a quiz that tests what they learned about the process of legal analysis from the legal skills portion of the program. The average score on the skills quiz for those participants who were invited to matriculate beginning with the June 2004 program was 81%. Results were not archived for the first two programs, June 2003 and October 2003, so those programs were not factored in to the average score. What follows is a chart of the average quiz results by program since June 2004 (through October 2011) and the number of participants in the programs who were invited to matriculate.²³

Skills Quiz Result Averages by Program with Number of Participants
Invited to Matriculate

Program Date	Average Skills Quiz Result	Number of Program Participants Admitted
June 2003	Not Available	Not Applicable
October 2003	Not Available	Not Applicable
June 2004	77%	4 Participants
October 2004	78%	16 Participants
June 2005 1st	67%	13 Participants
June 2005 2nd	71%	17 Participants
October 2005 1st	81%	20 Participants
October 2005 2nd	83%	15 Participants
June 2006 1st	74%	17 Participants
June 2006 2nd	77%	16 Participants
October 2006 1st	80%	20 Participants
October 2006 2nd	83%	23 Participants
January 2007	82%	13 Participants
February 2007	75%	20 Participants
June 2007	83%	23 Participants
October 2007	78%	23 Participants

²³ These averages do not include those PEP participants who attended the program but were not invited to matriculate.

November 2007	83%	8 Participants
January 2008	78%	19 Participants
February 2008	83%	13 Participants
March 2008	83%	8 Participants
April 2008	86%	9 Participants
May 2008 1st	86%	5 Participants
May 2008 2nd	80%	10 Participants
June 2008 1st	86%	6 Participants
June 2008 2nd	83%	8 Participants
July 2008	82%	12 Participants
August 2008	77%	15 Participants
October 2008	88%	5 Participants
November 2008	78%	6 Participants
January 2009	81%	8 Participants
March 2009	86%	11 Participants
April 2009	81%	16 Participants
May 2009	81%	13 Participants
June 2009	84%	17 Participants
July 2009	84%	16 Participants
October 2009	81%	28 Participants
November 2009	82%	28 Participants
January 2010	82%	19 Participants
February 2010	81%	19 Participants
April 2010	82%	19 Participants
May 2010	84%	8 Participants
June 2010	82%	13 Participants
July 2010	83%	12 Participants
August 2010	79%	22 Participants
October 2010	83%	27 Participants
January 2011	82%	25 Participants
March 2011	80%	21 Participants
July 2011	79%	10 Participants
August 2011	85%	8 Participants
October 2011	81%	19 Participants
48 Programs	Overall Average 81%	723 Participants

In evaluating participants' performance on the legal analysis skills quiz, the threshold score that is desired is 75%. And while the average score of all 723²⁴ participants, who were

²⁴ While there were 734 overall participants (through 50 programs) invited to matriculate from 2003 to 2011, only 723 of those participants (48 programs) were studied because skills quiz scores were not available for the two 2003 programs (11 participants).

invited to matriculate, was 81%, one hundred thirty-one of them received a score below 75%. Of that one hundred thirty-one, however, seventy-seven of them, or 59%, were still academically successful in law school, thirty-seven of them, or 28%, were unsuccessful and seventeen of them, or 13%, either did not enroll after being accepted to the institution or they accepted the invitation to enroll and have not yet matriculated or have matriculated but have not yet established an academic standing. Below is a chart that categorizes the skills quiz results by percent and identifies the corresponding academic success categories, after removing 109 of them from the pool because of the lack of academic classification.

Skills Quiz Score	Successful Students	Unsuccessful Students	Success Rate
50%-59% = 13 students	6	7	46%
60%-69% = 39 students	26	13	67%
70%-79% = 204 students	149	55	73%
80%-89% = 286 students	239	47	84%
90%-100% = 73 students	62	11	85%
No Score = 10 students	6	4	60%
Total = 625 students	488 (78%)	137 (22%)	

These results seem to indicate that the higher a participant scores on the skills quiz the more likely they are to become a successful student. The participants who scored in the fifty percent range on the skills quiz succeeded at a rate of 46%. Those who scored in the sixty percent range succeeded at a rate of 67%. Those who scored in the seventy percent range succeeded at a rate of 73%. Those who scored in the eighty percent range succeeded at a rate of 84%. And finally, those who scored ninety percent or higher succeeded at a rate of 85%.

The average first term grades and GPA for those participants who were invited to matriculate partially based on their skills quiz score are similarly suggestive of potential success. It appears that the higher a participant scores on the legal analysis skills quiz, the more likely they are to be successful in their first term of law school. For these participants who matriculated, the higher they scored on the legal analysis skills quiz, the higher their first term grades and GPAs were. The table below demonstrates this.

Skills Quiz Score	Average First Term GPA	Average Torts I Grade	Average Crim Law Grade	Average Contracts I Grade
50%-59% = 13students	1.76	1.8	2.3	1.9
60%-69% = 39students	2.21	2.2	2.2	2.2
70%-79% = 204 students	2.24	2.3	2.2	2.2
80%-89% = 286 students	2.42	2.4	2.5	2.4
90%-100% = 73 students	2.50	2.5	2.5	2.5
No Score = 10 students	1.94	2.3	1.9	1.8

While program participants who scored in the 50% range on the legal analysis skills quiz averaged a first term GPA of 1.76, each higher category of quiz results corresponded with a higher first term average GPA. Those participants who scored the highest on the skills quiz, in the 90% to 100% range, also had the highest average first term GPA. This seems to indicate that participants' performance on the legal analysis skills quiz might be a credible predictor of first term academic success, and ultimate overall academic success.

iii. Final Exam Analysis

At the conclusion of the program the participants are given a shortened version of a typical law school final exam. Participants attend three class sessions (approximately 9 hours total) that cover a substantive law topic and the final exam consists of questions related to that topic. The exam includes fourteen multiple choice questions worth two points each and one essay question worth forty points for an overall total of sixty-eight possible points. The overall average final exam score of the applicable programs²⁵ was thirty-eight points, or 56%. The table below lists the average final exam score for programs that had traceable records.

²⁵ Some of the records were not maintained on previous tests so those programs are not factored in to the analysis.

Final Exam Averages by Program of Participants Invited to Matriculate

(**Some scores are not present because some test results were not maintained in numeric form. The overall average is a combination of multiple-choice and essay scores for those programs whose exam results were maintained numerically.)

Program	Average Raw Score (out of 68)	Average Percent
June 2003	**	**
October 2003	46	68%
June 2004	**	**
October 2004	46	68%
June 2005 1 st	40	59%
June 2005 2 nd	42	62%
October 2005 1 st	43	63%
October 2005 2 nd	46	68%
June 2006	**	**
June 2006 2 nd	**	**
October 2006 1 st	**	**
October 2006 2 nd	**	**
January 2007	**	**
February 2007	**	**
June 2007	**	**
October 2007	**	**
November 2007	**	**
January 2008	35	51%
February 2008	40	59%
March 2008	40	59%
April 2008	40	59%
May 2008 1 st	42	62%
May 2008 2 nd	38	56%
June 2008 1 st	38	56%
June 2008 2 nd	35	51%
July 2008	35	51%
August 2008	35	51%
October 2008	40	59%
November 2008	36	53%
January 2009	38	56%
March 2009	38	56%
April 2009	38	56%
May 2009	37	54%
June 2009	40	59%
July 2009	38	56%
October 2009	36	53%
November 2009	37	54%
January 2010	43	63%

February 2010	34	50%
April 2010	35	51%
May 2010	35	51%
June 2010	37	54%
July 2010	37	54%
August 2010	34	50%
October 2010	37	54%
January 2011	37	54%
March 2011	37	54%
July 2011	35	51%
August 2011	41	60%
October 2011	37	54%
Overall Average	38	56%

The overall average score on the final exam is thirty-eight points out of sixty-eight possible points, or 56%, but more importantly it seems that the higher a participant scores on the final exam the more likely they are to be academically successful. The chart below seems to show a relationship between the final exam score and future academic success.

Final Exam Score (68 Points Possible)	Successful Students	Unsuccessful Students	Success Rate
20 - 29 = 33 students	24	9	73%
30 - 39 = 252 students	205	47	81%
40 - 49 = 160 students	130	30	81%
50 - 59 = 26 students	24	2	92%
60 - 69 = 1 student	1	0	100%
N / A = 153 students	104	49	68%
Total = 625 students	488 (78%)	137 (22%)	

For those participants for whom the above test results allowed them to be academically classified as either successful or unsuccessful, it seems that the higher a participant scores on the final exam the more likely they are to be successful students. Those who scored in the twenty point range on the final exam succeeded at a rate of 73%. Those who scored in the thirty point range succeeded at a rate of 81%. Those who scored in the forty point range also succeeded at a rate of 81%. Those who scored in the fifty point range succeeded at a rate of 92%. And finally, the individual who scored in the sixty point range succeeded at a rate of 100%. The only

stagnation in the upward progression of success rates was in the forty point range. These individuals succeeded at the same rate than those who scored in the thirty point range.

This seems to indicate that the higher a participant scores on the final exam the more likely it is that they will be successful law students. For those participants who matriculated, the higher they scored on the final exam, the higher their first term grades and GPA were. There seems to be a predictable relationship between PEP final exam results and first term academic success which is demonstrated in the table below.

Final Exam Score (68 Points Possible)	Average First Term GPA	Average Torts I Grade	Average Crim Law Grade	Average Contracts I Grade
20 - 29 = 33 students	2.26	2.3	2.5	2.1
30 - 39 = 252 students	2.37	2.4	2.4	2.4
40 - 49 = 160 students	2.41	2.4	2.4	2.4
50 - 59 = 26 students	2.63	2.6	2.7	2.6
60 - 69 = 1 student	3.00	3.0	3.0	3.0
No Score = 153 students	2.18	2.3	2.1	2.2

While program participants who scored in the twenty point range on the exam had an average first term GPA of 2.26, each higher category of exam results seemed coincident with a higher first term average GPA. The participant that had the highest score on the final exam, in the sixty point range, also had the highest average first term GPA. This also seems to indicate that participants' performance on the final exam appears to be credible predictor of first term academic success and ultimate overall academic success.

IV. SUMMATION

After looking for relationships among the participants' LSAT writing sample scores, first term grades and GPAs, and overall academic success, it seems that the writing sample might not be as strong a predictor of first term academic success or overall academic success as the participants' performance in the alternative admissions program itself. Evaluating the results of

the skills quiz and the final exam scores and comparing them to first term grades, GPAs and overall academic success, it appears that the alternative admissions process is working and predicting which of the participants are more likely to be successful law students. The program is finding individuals who do become successful law students more times than not. The overall success rates seem to indicate this. Of the 734 PEP participants who were invited to matriculate at Cooley, 625 matriculated and were classified academically. Of those 625 that were classified, 488, or 78%, are successful²⁶ and 137, or 22%, were unsuccessful.²⁷ The detailed breakdown of these categories is as follows:

Successful

190 Graduated (30%)
225 Good Academic Standing (36%)
17 Withdrew in good standing (3%)
56 Transferred (in good standing) (9%)

TOTAL: 488 / 625 (78%)

Unsuccessful

116 Academically Dismissed (19%)
12 Academic Probation (2%)
9 Withdrew on Academic Probation (1%)

TOTAL: 137 / 625 (22%)

The success rate of the individuals who have an academic standing classification is significant. More than three-quarters of the participants who matriculated through this alternative admissions program and have an academic standing classification are classified as academically successful.

²⁶ Academic success is defined as: (1) Graduated and received a juris doctorate degree; (2) Currently in good academic standing with a cumulative GPA of 2.0 or above; (3) Transferred to another institution while in good academic standing (cumulative GPA of 2.0 or above); or (4) Withdrew from Cooley while in good academic standing (cumulative GPA of 2.0 or above). Academic success was determined by evaluating information through the first semester of 2012 (January through April, 2012).

²⁷ Academic unsuccessfulness is defined as: (1) Academically dismissed due to failing to maintain a cumulative GPA above 2.0; (2) Currently on academic probation with cumulative GPA below 2.0; or (3) Withdrew from Cooley while on academic probation (cumulative GPA below 2.0). Academic unsuccessfulness was determined by evaluating information through the first semester of 2012 (January through April, 2012).

The profile below indicates the participants who matriculate into the school through this alternative admissions process have the following characteristics:

- Have an average score of 2.6 on the LSAT writing sample
- Have an average 139 LSAT score
- Are primarily from underrepresented populations
- Have earned an average GPA of 2.72 at their undergraduate institutions
- Are on average 59% female and 41% male
- Are an average 27 years of age
- Have an average first term law school GPA of 2.34
- In addition, and most critically, 78% are successful in law school

The Professional Exploration Program appears to be a viable alternative admission process. Not only is the Professional Exploration Program a viable and alternative way for Cooley to admit students, it is an alternative way for prospective students to gain access to law school which gives them a chance to become attorneys. By finding the “diamonds in the rough”, Cooley has opened the door to success for many prospective students who otherwise would not have had the opportunity to study law. The Professional Exploration Program embodies the school’s mission and allows hundreds of individuals, particularly those from underrepresented populations, to achieve a goal that might not have otherwise been attainable.