

THE CHRONICLE of Higher Education

January 21, 2020

Repositioning a Law School for the New Normal

To the Editor:

Benjamin H. Barton's "The Law School Crash" (*The Chronicle Review*, January 3) traces America's law schools' financial and enrollment issues through the past decade. "What's worse than a decade of financial turmoil?" its subtitle asks, before supplying a simple answer: "Not learning from it."

The article's assessment is true in many respects and an unfortunate consequence of schools' unwillingness to change will be a failure to diversify and provide access to the legal profession. But while it may be true that many schools have survived what Barton refers to as a "near-death experience," and have gone back to business as usual, there are a number of law schools that have reacted proactively. I can think of many such schools but will focus on the one I know best — Western Michigan University Cooley Law School, where I serve as President and Dean.

One example of how we are not following the pack is in our authentic commitment to law school access. Barton notes a recent increase in the number of people taking the LSAT and predicts any increase in applications will mean less cost-cutting and increasing selectivity in admissions. This move toward selectivity will inevitably have an impact on the diversity of applicant pools. The pool of non-white applicants whose typical incoming indicators predict law school success is grossly disproportionate as a population as compared to white applicants. Although incoming indicator statistics may accurately predict the success of populations of people, they do not necessarily do so for any given individual. When given a chance to matriculate, we have seen many students with lower indicators excel in law school and go on to become great lawyers. Without extraordinary efforts to identify and matriculate these students our profession will remain one of the least diverse. The current measures law schools use to admit students are a blunt cudgel, eliminating many applicants from consideration who may become excellent lawyers if given the chance.

I know these applicants are out there, because WMU-Cooley has for many years found them through our Professional Exploration Program. Applicants whose traditional indicators do not predict success in law school but have some other indicia of making a great lawyer are given a chance to participate in the program and prove that they are capable of law school success. After a rigorous week of assessment, we determine whether the candidate has a likelihood of law

school success. The cost is borne by our school and is not inconsequential. We believe it is sound investment to find students who will help diversify the legal profession. To us at WMU-Cooley, diversity means more than a person's skin color. Although nearly half of our student body identifies as persons of color, we also provide opportunities for a diverse group of people who might not be able to attend law school, including many people seeking to change their career path later in life or people trying to balance their family responsibilities while still furthering their education. We provide student-centered scheduling options and a rigorous, yet flexible curriculum that enable a truly diverse group of students to attend.

We also are now lowering the cost of law school access. Barton noted that many schools lowered their admissions standards and raised their tuition to weather the crash. Frankly, ours was one of those schools. I became the President and Dean of WMU Cooley about six months ago and instituted many changes to better position us for the future of the legal profession. Like many schools, it appears our past administration considered the crash more of a correction, and expected the market for a legal education to return to "normal." One of my first actions was to reduce our tuition by 21% to adjust to what is more likely to be a permanent change in the demand for legal education. WMU-Cooley has other challenges moving forward, and we are meeting them head on. The American Bar Association, one of our accreditors, recently heightened their standard for law schools' bar passage rates. We never failed to meet the previous standard, but for the next two or so years, we will not immediately be able to meet the new one. Our new heightened admission standards will, however, enable us to meet this goal after this transition period. Our approach is calculated to ensure compliance with the new standard, while maintaining our access mission.

Fortunately, WMU-Cooley is a financially sound institution, which makes it possible to implement our many new innovations. My vision for WMU-Cooley is to be known as a center for the development of equitable access to modern legal education. We are not proceeding with business as usual but are instead leading with our efforts to provide affordable and equitable access to modern legal education, resulting in better access to justice for all.

James McGrath
President and Dean
WMU-Cooley Law School

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Washington, D.C. 20037