

AALS Survey of Law Schools on Programs and Courses Designed to Enhance Bar Examination Performance

Committee on Bar Admissions and Lawyer Performance
and
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I. Introduction

In the spring of 1999, the AALS Committee on Bar Admissions and Lawyer Performance became aware of a trend in the states to raise the scores required to pass the bar examination. In the past decade, at least ten states have raised their passing scores, and others are evaluating proposed increases.¹ As a result of those changes, the percentages of test takers passing the bar has also dropped.² It is unclear why this trend exists. In some cases, the review of the passing rate took place as part of the regular review process that occurs in the state. In others, no rationale was provided at all.³

While complete statistical evidence is not available, a review of that which exists, in combination with anecdotal evidence gleaned from law professors and deans at various AALS meetings, suggests that several categories of students face a higher possibility of failing a bar examination than others. Reports from state bar examiners indicate that passage rates of minority

The Committee on Bar Admissions is to be commended for its achievement in producing this report. Susan L. Brody (John Marshall) chaired the committee through the design and conduct of the survey, and Jane M. Spinak (Columbia) succeeded as chair and guided the report to completion. Other committee members who contributed to the production of the report included Linda L. Ammons (Cleveland State), Michael J. Churgin (Texas), Roberto Corrada (Denver), Phoebe A. Haddon (Temple), Wallace J. Mlyniec (Georgetown), Patricia O'Hara (Notre Dame), Sharon L. Reich (Minnesota), Dennis Shields (Duke), Christopher Slobogin (Florida), and Luis Villaronga (Puerto Rico).

The committee, and especially its two chairs, would like to extend its thanks and gratitude for the exceptional and untiring assistance of H. G. Prince (Hastings), former deputy director of the AALS, who shepherded the report to completion. H.G.'s commitment to this project was a key component in its finalization.

1. Deborah J. Merritt et al., Raising the Bar: A Social Science Critique of Recent Increases to Passing Scores on the Bar Exam, 69 U. Cin. L. Rev. 929 (2001).

2. *Id.*

3. *Id.*

students are often lower than those of white students.⁴ The LSAC National Longitudinal Bar Study, published in 1998, also reflected a lower bar passage rate for minority-group participants.⁵ Studies have shown a correlation between low LSAT scores and bar passage rates.⁶ At the January 2001 AALS conference, law school faculty and administrators indicated that many, but not all, students failing the bar come from the lowest academic quartile of the student body, suggesting a correlation between grades and bar passage rates.⁷ Other anecdotal evidence suggests that students who work or who have family obligations or learning issues also may be at risk.⁸ Finally, evidence indicates that those who take a bar review course increase their chances of passing the bar. Thus, those students who are financially unable to take such courses have a greater chance of failing than those who do.⁹

As a result of this phenomenon, the committee decided to investigate whether these changes were having an effect on law school programs. The importance of bar passage rates to law schools may seem obvious to many people. Nonetheless, the committee first discussed whether law schools should be concerned with bar passage rates. The committee found many reasons to conclude that they should. Although some might question whether the bar examination is a good measure of either a person's ability to practice law or the success of a person's legal education, it remains a requirement for licensure. Thus, the profession's and the public's perception of both lawyers and law schools is in part dependent upon passing the bar. A school whose students regularly fail the bar may lose credibility with the public or with the state or university board of directors that guarantees its existence. Law schools are designed as professional schools; students who matriculate at a law school and graduate expect that they will be prepared to join the profession. While this expectation does not create a contractual obligation, the admission of a student carries a moral obligation on the part of a school to prepare him or her for a career as a lawyer. Failure of the graduate to pass the bar may be taken to indicate that the school has failed to meet that obligation. Most importantly, our fiduciary relationship with our students suggests that we have an obligation to maximize their chances for success.

At the same time that this study was being completed, the AALS Executive Committee committed itself to engage in discussions with the American Bar

4. Dannye Holley & Thomas Kleven, *Minorities and the Legal Profession: Current Platitudes, Current Barriers*, 12 *T. Marshall L. Rev.* 299, 332 (1987).
5. See Law School Admissions Council, *LSAC National Longitudinal Bar Passage Study, Executive Summary* at viii (Newtown, 1998) (eventual pass rate for white participants was 96.7 percent; eventual pass rate for all study participants of color was 84.7 percent).
6. Joan Howarth, *Teaching in the Shadow of the Bar*, 31 *U.S.F. L. Rev.* 927, 928 (1997) (citing Cecil J. Hunt II, *Guests in Another's House: An Analysis of Racially Disparate Bar Performance*, 23 *Fla. St. U. L. Rev.* 721, 766-67 (1996)).
7. Discussions with various members of the Association of American Law Schools at the AALS annual meeting in San Francisco, Jan. 3-6, 2001.
8. W. Ray Williams, *Hand-Up or Handout? The Americans with Disabilities Act and "Unreasonable Accommodation" of Learning Disabled Bar Applicants: Toward a New Paradigm*, 34 *Creighton L. Rev.* 611, 613-14 (2001).
9. Mark Hyman, *West Gives Bar/Bri Run for Bar-Review Market*, *Balt. Sun*, Sept. 9, 1995, at 13C.

Association Council on Legal Education and Admissions to the Bar, the National Conference of Bar Examiners, the Law School Admissions Council, and other relevant groups to address how applicants are examined for admission to the bar and how the pass scores are set. The purpose of these discussions will be to ensure that all aspects of the important process of bar admission examination are considered and fully explored. Concerns have been raised that passage rates would not rise proportionately even if all law graduates were better prepared for the bar examination. As a related matter, many strongly advocate that it would be an error for law schools to form curricula to "teach to the bar." Ultimately, the latter concerns suggest that it is not enough to ask what more law schools could be doing better to prepare graduates for the bar examination without asking about other aspects of the process.

Failure to pass the bar creates many adverse personal consequences for our graduates. Students who fail will not easily find employment. Studies have shown that employment is a major indicator of good physical and mental health.¹⁰ The sense of personal and professional failure and the financial insecurity that come from failing the bar can be devastating. Given the ever increasing educational debt carried by our students, these feelings of failure can only be intensified by the specter of financial liability. Even if a graduate passes a subsequent examination, the delay in beginning a career may slow down or permanently affect the graduate's personal and professional development. In addition, the resulting anger may be turned against the school, thus depriving it of a valuable alumnus or alumna in the future. With all this in mind, the committee concluded that law schools must be concerned with bar passage rates.

In order to determine how law schools were reacting to bar passage rates, the committee designed a questionnaire to study current practices. The committee was interested in whether law schools alone or in cooperation with local or state bar associations offered bar preparation courses or other programs to supplement existing commercial bar review courses. The committee also sought data to determine whether any of the offered courses or programs were effective. Our goal was to collect this information and to alert schools about the range of courses and programs offered to assist graduates preparing for the bar examination. Schools electing to provide such assistance would thus have a body of information from which to begin their planning.

During the fall of 1999, survey questionnaires were sent to the deans of the 182 AALS member and fee-paid law schools. A second request for responses was made in the spring of 2000. One hundred eight (108; 59.3%) of the schools returned completed questionnaires. The survey included two parts. The first part asked general questions about the programs and courses that law schools offered to their graduates and about any improvements in bar passage rates that had come about in recent years. The second part asked for information about specific programs. Richard A. White, a consultant for the

10. V. Lee Hamilton et al., *Hard Times and Vulnerable People: Initial Effects of Plant Closing on Autoworkers' Mental Health*, 31 *J. Health & Soc. Behav.* 123 (1990).

AALS, completed the statistical analysis of the survey results included here. We have organized this report to highlight the findings that we believe will be most helpful to law schools. Part A of section II consists of the six questions in the survey and the statistical analysis of the answers and/or a narrative compilation of the responses. Part B contains the responses of law schools that shared information on specific activities, programs, and courses designed to assist in bar passage. Appendix A contains the available bar preparation courses listed by each of the respondents that are not sponsored by the law school. They are arranged by law school and include the cost and the "targeted group" if stated. Appendix B contains attachments describing thirty-one of the programs provided by the law schools in their responses to the survey. The appendices are available from the AALS national office upon request; they are not included here.

II. Survey Results

Summary of Results

The survey results reveal that a little more than one-third (38.9%) of the respondents sponsor a program, course, or activity designed specifically to improve law graduates' performance on the bar examination. A similar proportion (38.7%) of the respondents offer a program, course, or activity that is believed to improve bar performance while not having that intended purpose. A total of 54.6 percent of the responding schools offer one or both types of the foregoing programs and, correspondingly, 45.4 percent of the respondents do not offer a program, course, or activity that is designed or believed to enhance performance on the bar examination.

Programs specifically designed to assist students in passing the bar exam can be placed into four categories: supplemental bar preparation programs designed and administered by the law school; programs offered in partnership with commercial bar preparation organizations; bar exam strategies lectures; and individual mentoring and counseling programs. The schools offering such programs emphasize that they are intended to supplement rather than replace comprehensive commercial preparation courses. Typical components of programs specifically designed to improve bar examination performance include lectures on the substantive areas tested on the bar exam; review of sample multiple-choice questions; essay-writing instruction and practice; and advice on stress and time management, outlining, test-taking techniques, and potential sources of financial support. The survey indicates that law graduates from 40.4 percent of the responding schools have available financial assistance from either the law school or some other entity such as a bar association, commercial lender, or commercial bar course provider.

Twenty-six (26%) of the responding schools indicated that they had observed noteworthy success or improvement in their bar passage rates in recent years. Apart from offering supplemental bar preparation programs, the success or improvement in passage rates was attributed to a number of factors, including improving general academic assistance, making students more aware

of bar requirements and opportunities for preparation, increased rigor in the law school classroom, and heightened academic standards.

A smaller percentage (9.8%) of schools indicated that they had observed an improvement in the passage rate for a specific group of students, such as minority-group students or those with low LSAT scores. Only 9.2 percent of the respondents (10 schools) responded to optional question 6 concerning comparative bar passage rates for different groups of students. Five schools reported that minority-group passage rates were lower than nonminority, and three schools reported that the minority-group passage rate was higher. It is not possible to draw valid conclusions from such limited data. The committee remained concerned, however, that schools should examine whether there are steps that can be taken to address the apparent disparity between bar exam success rates for minority and nonminority students. As noted in Part B of the report, any such efforts should be conducted with appreciation of the need to avoid causing a stigma to attach to those who participate in the programs.

Part A

Question 1A. Does your law school provide or sponsor any activities, programs, or courses specifically designed (in whole or in part) to enhance bar examination performance?

Forty-two (38.9%) of the 108 respondents answered “yes” to this question. A much larger percentage of the private schools offer these programs: 29 (47.5%) of the 61 responses from private schools, compared to 13 (27.7%) of the 47 public school respondents.

| | 1A | | | |
|---------|---------------|-------------------|---------------|-------------------|
| | <i>Yes</i> | | <i>No</i> | |
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 13 | 27.7 | 34 | 72.3 |
| Private | 29 | 47.5 | 32 | 52.5 |
| All | 42 | 38.9 | 66 | 61.1 |

Question 1B. Does your law school provide or sponsor any activities, programs, or courses that are not specifically designed to enhance bar examination performance, but which you believe improve bar exam performance?

Forty-one (38.7%) of all respondents answered “yes” to this question. The percentage of private schools offering this type of program (39.0%) is not significantly different from that of public schools (38.3%).

| | 1B | | | |
|---------|---------------|-------------------|---------------|-------------------|
| | <i>Yes</i> | | <i>No</i> | |
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 18 | 38.3 | 29 | 61.7 |
| Private | 23 | 39.0 | 36 | 61.0 |
| All | 41 | 38.7 | 65 | 61.3 |

Combined analysis of questions 1A and 1B. Twenty-four (22.2%) of the respondents said their schools provide *both* programs specifically designed to enhance bar examination performance and other courses not specifically designed for that purpose, but that they believe improve bar exam performance. Eighteen (16.7%) said they have *specific* programs only; 17 (15.7%) said they have *other* programs only; and 49 (45.4%) said they have *neither*. The table below stratifies the responses by public and private; small, medium, and large metropolitan area; and small, medium, and large enrollment. Schools in larger metropolitan areas are much more likely to provide these programs. Only 10 (23.8%) of the schools in large metro areas said they provide neither, compared to 33 (66.0%) of those in small metro areas. A similar pattern can be seen in the stratification by enrollment size. Only 4 (15.4%) of the schools with a large enrollment said they provide neither, compared to 21 (67.7%) of those with a small enrollment. Since enrollment size and metropolitan area size are positively correlated, it may be either or both the resources available in larger metro areas and those available at larger law schools that contribute to this difference.

| | <i>Both</i> | | <i>Specific Only</i> | | <i>Other Only</i> | | <i>Neither</i> | |
|-------------------|---------------|-------------------|----------------------|-------------------|-------------------|-------------------|----------------|-------------------|
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 7 | 14.9 | 6 | 12.8 | 11 | 23.4 | 23 | 48.9 |
| Private | 17 | 27.9 | 12 | 19.7 | 6 | 9.8 | 26 | 42.6 |
| Large metro | 16 | 38.1 | 8 | 19.1 | 8 | 19.1 | 10 | 23.8 |
| Medium metro | 4 | 25.0 | 3 | 18.8 | 3 | 18.8 | 6 | 37.5 |
| Small metro | 4 | 8.0 | 7 | 14.0 | 6 | 12.0 | 33 | 66.0 |
| Large enrollment | 8 | 30.8 | 7 | 26.9 | 7 | 26.9 | 4 | 15.4 |
| Medium enrollment | 12 | 23.5 | 7 | 13.7 | 8 | 15.7 | 24 | 47.1 |
| Small enrollment | 4 | 12.9 | 4 | 12.9 | 2 | 6.5 | 21 | 67.7 |
| All | 24 | 22.2 | 18 | 16.7 | 17 | 15.7 | 49 | 45.4 |

Question 1C. Please complete a copy of the attached form for each activity, program, or course referred to in 1A or 1B above.

Responses are shown in Part B of this report. Fifty-five of the respondents completed questionnaires that provide information on 107 activities, programs, and courses.

Question 2. Please list all commercial and other bar preparation courses in your jurisdiction that are *not* sponsored by your law school. Include course name, approximate cost (enter zero if free), whether course is targeted toward a specific group or category of students, and, if so, what group (e.g., minority, economically disadvantaged, nontraditional students).

The table below shows the number of bar preparation courses not sponsored by the law schools that the respondents listed. Note that there is no certainty that respondents listed all available courses, and it is likely that the 13 who listed none just did not answer this question. But these data do show a pattern similar to the one seen in the previous analysis of questions 1A and 1B.

There are more courses available to students in large schools and schools in large metropolitan areas.

2

| | <i>None</i> | | <i>One</i> | | <i>Two or Three</i> | | <i>Four or Five</i> | |
|-------------------|---------------|-------------------|---------------|-------------------|---------------------|-------------------|---------------------|-------------------|
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 1 | 2.1 | 16 | 34.0 | 22 | 46.8 | 8 | 17.0 |
| Private | 12 | 19.7 | 8 | 13.1 | 34 | 55.7 | 7 | 11.5 |
| Large metro | 7 | 16.7 | 2 | 4.8 | 21 | 50.0 | 12 | 28.6 |
| Medium metro | 3 | 18.8 | 4 | 25.0 | 8 | 50.0 | 1 | 6.3 |
| Small metro | 3 | 6.0 | 18 | 36.0 | 27 | 54.0 | 2 | 4.0 |
| Large enrollment | 3 | 11.5 | 1 | 3.9 | 16 | 61.5 | 6 | 23.1 |
| Medium enrollment | 8 | 15.7 | 11 | 21.6 | 26 | 51.0 | 6 | 11.8 |
| Small enrollment | 2 | 6.5 | 12 | 38.7 | 14 | 45.2 | 3 | 9.7 |
| All | 13 | 12.0 | 24 | 22.2 | 56 | 51.9 | 15 | 13.9 |

Question 3A. Does your school or some other entity, other than in connection with employment, provide financial assistance for bar preparation?

Forty-two (40.4%) of the 104 respondents who answered this question said "yes." A higher percentage of the public schools (47.8%; 22 of 46) have financial assistance available for bar preparation, compared to private schools (34.5%; 20 of 58).

3A

| | <i>Yes</i> | | <i>No</i> | |
|---------|---------------|-------------------|---------------|-------------------|
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 22 | 47.8 | 24 | 52.2 |
| Private | 20 | 34.5 | 38 | 65.5 |
| All | 42 | 40.4 | 62 | 59.6 |

Question 3B. If yes, please describe briefly.

The responses to this question fell into five categories: commercial loans, noncommercial loans, discounts, scholarships, and miscellaneous assistance.

Commercial loans that were specifically mentioned include:

- Law Access
- Law Loans
- Law Achievers

Noncommercial loans were described as:

- Law school interest-free loans
- Law school loans for students without good credit ratings
- University financial aid
- University emergency loans
- State bar loans if sitting for that state bar examination

Discounts included:

- PMBR discounts to American Bar Association or Black Law Student Association members
- BarBri discounts to students entering low-paying jobs; BarBri representatives receive the course free.
- Some law schools negotiate with private sponsors for free or discounted courses for some students.

Scholarships included:

- Law school scholarships or small grants to one or more students
- Law school alumni/ae scholarship funds
- Bar association scholarships
- Some Minority Participation in Legal Education (MPLE) students receive financial assistance.

Miscellaneous assistance:

- One women's bar association provided childcare for graduates with children who needed quiet study time.

Question 4A. With respect to your student body as a whole, have you observed noteworthy success or improvement in bar passage rates in recent years?

Twenty-six (26.0%) answered "yes" to this question. A larger percentage of public school respondents (32.6%) said that they had observed improvement in bar passage rates, compared to respondents from private schools (20.7%).

| | 4A | | | |
|---------|---------------|-------------------|---------------|-------------------|
| | <i>Yes</i> | | <i>No</i> | |
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 15 | 32.6 | 31 | 67.4 |
| Private | 12 | 20.7 | 46 | 79.3 |
| All | 27 | 26.0 | 77 | 74.0 |

Question 4B. Please describe any identifiable reasons for that success or improvement.

Respondents formulated answers that fell into two categories: general and/or specific efforts by the law school to improve overall performance by its students in all aspects of their law school careers, and specific activities or programs to assist students in passing a bar examination. Many schools have a variety of academic assistance programs or components of the regular substantive curriculum that these schools believe have a residual effect of assisting students with the bar exam. We will briefly outline those strategies first. Because much has been written on the variety of academic assistance programs available, however, we focus here predominantly on programs dedicated exclusively to bar exam preparation.

Law school structural and curricular policies which were noted in the responses as supportive of bar passage included:

- Making students more aware of bar requirements
- Steering students toward or emphasizing subjects that will be tested on the bar
- Increasing awareness of bar exam preparation
- Faculty commitment to teaching
- Increased rigor in the classroom
- Curriculum revision and offering cocurricular resources for bar exam preparation
- Establishing a bar examination coordinator and providing faculty mentoring
- Heightened academic standards
- Changed grading policies

In addition, some schools noted that the quality of their students and/or faculty was the best indicator of bar passage rates at their schools.

Programs specifically designed to assist students in passing the bar exam appear to fall into one of four categories: supplemental bar preparation programs designed and administered by the law school; programs offered in partnership with commercial bar preparation organizations; bar exam strategies lectures; and individual mentoring and counseling programs. School-sponsored bar review programs typically are offered as multisession programs during spring semester of the third year. Schools do not charge for these courses, other than for the purchase of books and study aids, but many require attendance at all sessions for those who register. Typical components include lectures on the substantive areas tested on the bar exam; review of sample multiple-choice questions; essay-writing instruction and practice; and advice on stress and time management, outlining, test-taking techniques, and potential sources of financial support.

Programs offered in cooperation with commercial organizations also tend to be given at no cost to the students. Some are one-day programs that focus on stress management, organizational skills, outlining, and test-taking techniques. Others are multisession reviews that appear to be an introduction to the more comprehensive review programs offered during the summer. Some of these programs are referred to as “jump starts” to the summer review programs.

A number of schools offer single-session bar exam strategies lectures. These vary from one hour to one day in length, and focus less on substantive law and more on how to prepare for the bar exam and on the importance of allocating sufficient time and effort to the task of preparation.

Individual mentoring and counseling programs take different forms. Some schools identify at-risk students and provide individual counseling regarding substantive courses related to subjects tested on the bar that these students should consider taking during their second or third year. Others provide individualized assistance on study techniques, stress and time management, and financial resources that may help fund commercial courses or enable the student to avoid employment and focus full attention on exam preparation.

One common thread among these programs, particularly school-sponsored review programs and programs offered in cooperation with commercial organizations, is that nearly all contain a prominent disclaimer that they are not a substitute for the more comprehensive commercial preparation courses. Rather, everything from one-day to full-semester programs is offered as a supplement to or a "jump start" to the comprehensive commercial programs. Many of these programs, particularly the multisession programs, tend to be concentrated in schools that have a segment of students that may benefit from additional preparation assistance.

Internal assessments of the effectiveness of these various programs generally take the form of student evaluations and informal feedback. A few attempt to compare the bar pass rates of participants in the special programs to those of graduates who choose not to participate, and they tend to report a positive correlation. None, however, have engaged in a statistically verifiable analysis of whether the programs materially affect a student's chance of passing the bar on a first attempt. But all evaluations have been positive and indicate without exception that students appreciate the additional assistance and the expression of support from the law school.

Finally, it should be noted that some schools allow graduates who have failed the bar examination to attend school-based bar assistance programs, and one school created a specific program for graduates who had not passed the bar.

Question 5A. With respect to any particular group/category within your student body, have you observed noteworthy success or improvement in bar passage rates in recent years?

Only 9 (9.8%) of the 92 respondents who answered this question said they had observed noteworthy success or improvement in bar passage rates in recent years. The difference between public and private school responses is not significant.

| | 5A | | | |
|---------|---------------|-------------------|---------------|-------------------|
| | <i>Yes</i> | | <i>No</i> | |
| | <i>Number</i> | <i>Percentage</i> | <i>Number</i> | <i>Percentage</i> |
| Public | 5 | 12.2 | 36 | 87.8 |
| Private | 4 | 7.8 | 47 | 92.2 |
| All | 9 | 9.8 | 83 | 90.2 |

Question 5B. If yes, which group(s)/category(ies)?

See answer to question 5C below.

Question 5C. Please describe any identifiable reasons for that success or improvement.

As with the answer to 5A, there were few responses to questions 5B and 5C. The responses did include the following observations:

- Some schools noticed an overall improvement for all students.
- Some schools noticed an improvement for African-American students; one school credited the student-initiated hiring of an African-American bar mentor.

- One school noted that students with low academic averages who take substantive courses tested on the bar and do well in those courses marginally improve their performances.
- One school noted improvement of students with low LSAT scores, low law school GPA's, and minority students.
- One school identified students who were assisted in organizing and writing essays through a specific workshop for that purpose.

Question 6 (optional). If you compare bar passage rates of particular groups/categories of students at your school, providing this information would be extremely useful to the committee. The information will be held strictly confidential and in no way associated with individual schools. Please provide rates for first-time takers in your jurisdiction for fall 1998.

Only 10 respondents provided information that compared bar passage rates of minority students to those of nonminority students. Five schools reported minority passage rates lower than nonminority rates (4 public schools and 1 private school). Two reported no difference (1 public and 1 private). Three reported minority passage rates higher than nonminority rates (all 3 private). Note that drawing valid conclusions from data from so few schools is not possible.

Part B

Improving Performance for Particular Groups of Students

As noted in the introduction, reports from bar examiners often indicate a lower passage rate for minority-group students than for white students. Reasons exist to believe that passage rates are likely to be lower for any student who has suffered educational or socioeconomic disadvantage and therefore has a lower LSAT score or law school grade point average. Consequently, the question arises whether law schools that engage in supplemental bar preparation programs make an attempt—and have any success—to improve the performance of any particular group of students needing assistance. The responses to the survey indicate that only a modest number of law schools dedicate significant time and resources to the question of minority and at-risk students' performance on the bar, and the law schools that do engage in such efforts are dedicated and thoughtful. Following are some general observations about such efforts. Followup conversations by a law student research assistant with the people running special programs across the country produced several interesting themes among the general observations.

- A deterrent to higher participation in academic support programs is the perceived stigma associated with taking part in the programs.
- Most feel that it is important to leave programs open to all students to lessen the stigma felt by participants, but commented that, in general, those students who need assistance the most often access programs the least.
- Most agree that offering bar prep programs in the final year or after graduation is simply too late.

- There is often a backlash against those who participate in “by invitation only” programs which can exacerbate feelings of alienation by minority or other identified students. Students who are not given the added tutoring or support feel those in the program received an extra edge.

[Here we omit “descriptions of programs at specific law schools that suggest potential benefit for particular groups of disadvantaged students.” —Eds.]

General Observations

Fifty-five of the respondents completed questionnaires that provide information on 107 activities, programs, and courses. The following points summarize some of the information provided on these programs.

- Eleven (10.3%) have mandatory participation.
- Twenty-nine (27.1%) have a formal assessment method.
- Twenty-two (20.6%) are shown by formal assessment to be effective.

Respondents reported that the programs were designed to improve performance in various areas. The following lists the areas suggested on the questionnaire, followed by the number of programs reported to improve performance in that area.

- Essay (75; 70.1%)
- Multiple-choice (53; 49.5%)
- Performance (43; 40.2%)
- Specific subject matter (37; 34.6%)
- Time management during the bar exam (49; 45.8%)
- Stress management during the bar exam (44; 41.1%)

Respondents also indicated that the programs, activities, or courses were designed to improve performance in the following ways:

- Overall law school preparedness including preparing for classes, understanding legal analysis and methods, improving research and writing skills, handling law school stress and time requirements, and developing effective study habits
- Overall life skill assistance including time and stress management, financial planning, and independent learning skills.

III. Conclusion

The AALS Committee on Bar Admissions and Lawyer Performance concluded that preparation for the bar examination is an important issue for law schools as well as their graduates. The survey reveals that while many schools have taken steps to address this concern by instituting programs specifically designed to improve bar performance, many more have yet to begin efforts of this type. While there is not a single type of program that would be suitable for every school, the following recommendations should be considered by each

school contemplating such a program, taking into account the school's assessment of the needs of its student body.

- Schools should begin to prepare students for the challenge early in law school rather than waiting until the period just before the bar examination.
- Preparation should address the various types of questions that will be faced on the bar examination.
- Students should receive instruction in the life skills that will allow them to perform to their potential on the examination.
- Schools should explore possibilities for providing financial assistance to students who may not be able to afford a commercial bar preparation course or to avoid working during the typical preparations period.
- It is also important for schools to try to measure the success of their supplemental bar preparation programs so that improvements can be made. Assessments will also be helpful in the very important process of schools' sharing information about different approaches to providing bar preparation assistance to their students.

[Here we omit descriptions of "programs shown by formal assessment to be effective." —Eds.]