

■ **Final Report: LSAC Skills Analysis  
Law School Task Survey**

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## Table of Contents

Executive Summary . . . . .	1
Introduction . . . . .	2
Survey Methodology . . . . .	3
The Sample of Schools Surveyed. . . . .	5
Data Acquisition . . . . .	7
The Student and Faculty Participant Sample. . . . .	7
Data Analysis. . . . .	8
Survey Results . . . . .	9
What tasks and categories of tasks are most important for success in law school courses in general? . . . . .	9
Do faculty and students rate the importance of tasks for law school courses differently? . . . . .	16
Do men and women rate the importance of tasks for law school courses differently? . . . . .	20
Is there a difference in the task mean ratings between traditional first-year courses collectively and the upper-level courses collectively?. . . . .	24
How do the ratings of importance of tasks differ between the individual courses surveyed? . . . . .	27
Do the ratings of importance of tasks for success in law school courses differ by race, ethnicity, primary language, or undergraduate major of students? . . . . .	31
To what extent does the list of tasks surveyed include all the tasks involved in success in the law school course surveyed? . . . . .	33
Do the tasks involved in success in law school courses vary according to how the courses are taught? . . . . .	35
Do the judgments of completeness of the list of tasks vary according to the teaching method used in a class? . . . . .	40
Conclusions . . . . .	41
References . . . . .	42
Appendix A (Skills Analysis Survey) . . . . .	43
Appendix B (Key Abbreviations). . . . .	51

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## Executive Summary

The Law School Admission Council (LSAC) Skills Analysis Survey is a major component of the LSAC Skills Analysis Study, which in turn is an integral part of the Computerized LSAT Research Agenda. The goal of this survey is to identify the skills that are important for success in law school and the relationships among those skills. This information provides validity evidence for the current Law School Admission Test (LSAT) and will guide the development of new item types, item formats, and test specifications for future versions of the LSAT, including possible computerized versions.

The key question the survey sets out to answer is “what academic tasks are fundamental to success in law school courses.” The survey also asks a set of related questions about whether the ratings of the importance of tasks to success in courses varies importantly between subgroups of the respondents, and among courses, law school years, and teaching methods. If certain tasks can be identified that are fundamental to all or most law school courses, the skills involved in those tasks can be inferred to be fundamental to success in law school.

The survey instrument asked law school faculty and students to rate the importance of 57 law school tasks in 14 skill-related categories as “highly important” (given the value 4), “moderately important” (3), “somewhat important” (2), or “not important/not applicable” (1) for one of seven traditional first-year courses or one of six upper-division courses. There were 3,525 respondents from 41 law schools, of which 3,048 identified themselves as law students and 457 as faculty members. The samples of respondents and schools are large and are similar, in terms of geographic, gender and ethnic proportions, to the total populations of law students, faculty, and schools.

For nearly all groups of respondents and for most of the courses surveyed, the categories of tasks fell into four tiers of importance, based on the mean ratings of the tasks and the percentage of respondents rating the tasks highly or moderately important.

Tier I (mean ratings 3.4 to 4.0)	Analyzing Cases or Legal Problems
Tier II (mean ratings 3.0 to 3.3)	Problem Solving Reasoning Writing Reading Listening Constructing Arguments Managing Time
Tier III (mean ratings 2.5 to 2.9)	Communicating Orally Organizing and Synthesizing Normative Thinking
Tier IV (mean ratings 1 to 2.4)	Conducting Research Working as Part of a Group or Interpersonally Quantitative Reasoning

The survey also asked respondents about how exhaustive the list of 57 tasks was. Over 80% of the respondents indicated that the list either included essentially all of the tasks involved in the course, or included most of them. In general, faculty members considered the list to be more exhaustive than students did.

These results indicate that students and faculty generally judged the most important tasks in most of the law school courses surveyed to involve Reading, Analyzing Cases or Legal Problems, Reasoning, Constructing Arguments, Problem Solving, Time Management, Listening, and Writing. Faculty also judged Normative Thinking tasks to have a similar degree of importance, while students rank them somewhat lower in importance. Organizing and Synthesizing and Communicating Orally tasks were judged less important for law school courses than those above, but were still judged to be of some importance. Conducting Research, Working as Part of a Group or Interpersonally, and Quantitative Reasoning tasks were not judged by the survey respondents as important for success in most law school courses, although they were judged to have importance in some courses.

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## Introduction

The goal of the Law School Admission Council (LSAC) Skills Analysis Study is to identify skills important for success in law school and the relationships among those skills. The LSAC Skills Analysis Survey is a main component of that study. Its aim is to collect and analyze the judgments of a sample of law school students and faculty about what tasks are important in selected law school courses. This information will guide the development of potential new item types, item formats, and test specifications for the Law School Admission Test (LSAT), as well as provide validation evidence for the current paper-and-pencil LSAT.

The basic testing question that lies behind the study is “what academic skills should be assessed to determine a student’s potential for success in law school.” In other words, we are asking, “What skills are fundamental to success in law school?” However, answering this question directly would require law school faculty and students to make theoretical judgments about the relationship of skills to the academic work they have observed in law school. To avoid confounding the survey results with such theoretical judgments, the skills analysis survey instead asked about academic tasks, the identification of which should be more clearly a matter of empirical observation. Legal educators and test specialists can apply their expert judgments in a consistent way to the responses about academic tasks to infer what academic skills are involved in those tasks.

To begin to answer this question the investigators collected judgments about what tasks and skills are important for success in law school from (1) reports from the Association of American Law Schools (AALS) and the American Bar Association (ABA), (2) a telephone survey of selected law school faculty members, (3) focus groups of students and faculty at three law schools, and (4) a report by an LSAC staff law school graduate. This preliminary information was used to construct a comprehensive list of law school tasks that included all those mentioned by these sources. This list was refined and condensed to provide the basis for a practical-length survey, on which law school students and faculty were asked to rate each task as “highly important,” “moderately important,” “somewhat important,” or “not important/not applicable” for success in a particular law school course. Thus, the basic question asked by the survey is “How important is each of these tasks to success in this particular law school course?” These responses provide an indication of what tasks are considered important by law school faculty and students in one of a selected group of law school courses—both first-year and upper-level.

In addition to the basic question of how important certain academic tasks are to success in law school courses, a group of related questions were identified. Discussions with law school students and faculty revealed that they observed different methods of teaching in law school courses and that they thought this made a difference in how success in these courses was achieved. This led to the question: Does the importance of academic tasks to success in a law school course differ according to the methodology used to teach the course?

Focus groups with law school faculty and students also revealed differences in judgments about the importance of certain tasks. This led to the question: Do law school students and faculty differ in their judgments of the importance of tasks to success in law school courses?

In the light of current educational literature about the different ways students and faculty of different genders and ethnicities experience law school, the following questions were also asked: Do male and female law school students and faculty differ in their judgments of the importance of tasks to success in law school courses? Is there a difference in judgments about what academic tasks are important for success in law school courses between respondents of different race and ethnicity? Is there a difference in judgments about what academic tasks are important for success in law school courses between respondents whose primary language is English and those whose primary language is other than English?

Traditional first-year law school courses are taught in very similar ways across courses, professors, and schools. In contrast, some upper-level law school courses are taught quite differently from traditional first-year courses and quite differently from each other. This led to the question: Are there differences between courses in what tasks are important for success and, specifically, are there differences between the tasks important for success in traditional first-year courses and those important for success in upper-level courses that differ from first-year courses in subject matter and teaching methods?

Law students come from a wide variety of undergraduate backgrounds, as reflected in their undergraduate majors. As a result the question was posed: Is there a difference in judgments about what academic tasks are important for success in law school courses between students with different undergraduate specializations?

Finally, respondents were asked to judge the extent to which the list of tasks in the survey includes all the tasks necessary for success in a particular law school course. If they thought there were tasks important for the course that were not included in the survey, they were asked to list them.

## Survey Methodology

### *Preliminary Information Gathering*

Three legal-education documents played a key role in developing the survey: (1) the 1952 AALS statement on prelegal education; (2) *Preparation for Legal Education* (1996), prepared by the Pre-Law Committee of the ABA Section of Legal Education and Admissions to the Bar; and (3) *Legal Education and Professional Development—An Educational Continuum* (1992), popularly known as the McCrate Report, which is a report of the “Task Force on Law Schools and the Profession: Narrowing the Gap,” for the ABA Section of Legal Education and Admissions to the Bar. These documents represent considered and consensus judgments of legal education professionals on the skills and tasks involved in legal education and thus provide a solid initial basis for a survey collecting judgments of law school faculty and students.

A second initial source of information for the survey instrument was a small, informal survey of law school faculty members recommended by their peers as having reflected on and studied legal education, and who would reflect the diversity of law schools and law professors involved with LSAC. We contacted 27 people by telephone and gave them the following instructions:

- (1) Make a list of skills important for entering students to have for successful performance in law school. If you wish, you may organize your list in a way that shows their relationships and relative importance.
- (2) Make a list of tasks that law students are required to perform for their classes. If you wish you may organize them to show their relationships and relative importance.

The directives were deliberately left somewhat general and vague so that the responses would help us to develop more focused questions and lists. Of the 27 people contacted, 15 sent lists. The respondents included 9 males and 6 females; 11 whites, 2 African Americans, and one Asian American; and 9 law school faculty and 6 academic support staff members.

From the lists sent by the respondents, together with the ABA and AALS statements, we compiled preliminary comprehensive lists of tasks involved in law school courses and skills necessary for success in law school.

The third preliminary step was to add to, refine, and verify those lists through focus groups held at three law schools in the Philadelphia area. The law schools were selected partly to assure that there would be minority representation among the students and faculty in the focus groups. At each law school we met with separate groups of four or five students and four or five faculty. The focus groups essentially verified the tasks compiled from the selected faculty members and the statements by the ABA and AALS. They also suggested several tasks and types of tasks not found on the preliminary lists, as well as other ideas that were later incorporated into the design of the survey instrument. For example, focus group participants suggested that we not ask about tasks for law school in general, but about tasks for specific courses. They also suggested that we try to distinguish courses by teaching methods, since they thought the tasks involved in courses would vary according to the teaching methods employed by the instructor.

We also used the focus groups to conduct a grouping exercise in which we asked faculty members to arrange the tasks from our list into groups that involved approximately the same underlying skill or skills. The data from this exercise were analyzed with a variety of hierarchical cluster analysis methods. The law school faculty participants exhibited a great deal of agreement about what tasks grouped together based on underlying skills. Moreover, the substantive content of the statistically identified clusters displayed a strong similarity to the categories suggested by the ABA lists and to the conceptual analyses done by LSAC staff. Consequently, we used essentially these categories to group the tasks conveniently for the survey.

Based on this work, an LSAC staff member who is a law school graduate helped develop a detailed list of 108 tasks involved in law school classes.

### *Development of the Survey Instrument*

The list of 108 tasks was used to prepare a draft survey instrument in which law school students and professors would rank the importance of each task for a particular law school course.

As a trial, the survey was administered to the LSAC Test Development and Research Committee and to a small sample of students at several schools. In addition, it was discussed with admission professionals and law school faculty at the 1998 LSAC Annual Meeting and Educational Conference. On the basis of the trials and discussions, the list of tasks was shortened to 57 tasks in order to make survey completion easier and to make it more likely that recipients of the survey would take the time to complete it. Thus, the number of

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tasks on the final survey represents an attempt to balance a concern for completeness with a desire for a reasonable response rate. An example of the final version of the survey used in data collection is found in Appendix A.

### *The Questions on the Survey*

The main body of the survey (Question 4) contains a list of 57 tasks associated with work in law school, divided into 14 categories. The tasks fall into two basic types. Some are very concrete tasks, like answering exam questions and reading assignments. Others are more abstract, conceptually described tasks, like writing concisely or identifying the legal basis for a decision. Both kinds of tasks were included because both seemed to be informative about skills.

The 14 skill-related categories into which the tasks were grouped were derived from the skill-related groupings found in the AALS and ABA documents, the grouping exercises based on similarities of skills done in the faculty focus groups, and the natural and logical skill-related categories developed by the LSAC staff. The groupings from all three sources corresponded very highly. A hierarchical cluster analysis later performed on the survey results produced basically the same 14 categories plus the groupings into concrete and abstract tasks.

For the complete list of the tasks and the categories into which they are grouped, refer to Question 4 on the survey at Appendix A. The sample survey contains the complete descriptions of the tasks seen by the respondents. *The lists of tasks in the Figures and Tables contain only abbreviated names for the tasks that are closely related to but do not match exactly the descriptions in the survey.*

Question 4 of the survey uses a version of a Likert-Scale to ask law school students and faculty to rate, for a particular course, each of the 57 tasks. The ratings are "highly important," "moderately important," "somewhat important," or "not important/not applicable"; four boxes corresponding to the ratings follow each task and the respondent is asked to check the appropriate box. The other questions on the survey ask the respondent either to check a box corresponding to an answer or to write in a response.

To minimize the effect of the ordering of the tasks on the ratings of their importance, two versions of the survey were developed with the categories of tasks arranged in opposite orders. These two versions of the survey were spiraled when distributed so that half the respondents randomly saw the tasks in one order and the other half saw them in the opposite order.

To effectively evaluate what tasks were most important to success in law school, we felt that it was important to survey both faculty and students and compare their responses. Question 1 on the survey asks the respondent to indicate whether she or he is a faculty member or a student.

To determine whether the rating of the importance of tasks to success in law school courses might depend on how the class was taught and to collect information about how law school courses are taught, Question 2 on the survey asks the respondent to check a response identifying the format and teaching method in the course.

Since the list of 57 tasks might not fully cover the tasks necessary for success in any particular course, Question 5 asked the respondents whether the 57 tasks listed "include essentially all the tasks involved in success in the course," "include most of the tasks ... but do not include some others ...," "include some of the tasks ... but not many others ...," or "include few, if any ..."

There were also several open-ended questions on the survey, in response to which respondents could give detailed specific information. Regarding the format and method of teaching of the course, Question 3 asked the respondents to briefly describe any teaching techniques or methods used in the course other than lecture, Socratic method, and case study. After the question about the comprehensiveness of the list of tasks, Question 6 invited respondents to list any additional tasks involved in success in that particular course and to rate the importance of those tasks. Question 7 asked for any further comments respondents might have regarding the tasks required for success in the course.

Finally, the survey contained a page asking for demographic information, including gender, race or ethnic group, age, and primary language. We placed this page last on the survey to minimize any possible effect it might have on the answers to the other questions on the survey. We asked students what other courses they had taken in their first year of law school, giving them ten choices as well as offering them the opportunity to write in the names of other courses. We also asked students to estimate their first-year law school GPA and to give their undergraduate major. Faculty members were asked to list any other courses they had taught in the last two years and the school from which they had received their law degree.

### *Courses Included in the Survey*

From the focus groups it was determined that the tasks required of law students could potentially vary significantly from course to course. For that reason the survey asks students and faculty to rate tasks in

