

2019 IU McKinney School of Law PRAC Report

Submitted by: IU McKinney School of Law Program Evaluation, Teaching, and Assessment Committee

Date: November 15, 2019

I. Introduction

- A. The IU Robert H. McKinney School of Law is accredited by the American Bar Association. Traditionally, law schools have used bar passage rates as the primary assessment mechanism used by law schools. For this reason, the law school's JD Program Assessment, Teaching, and Evaluation Committee has adopted a two pronged assessment strategy that targets the school's bar passage rates as well as assessment of program learning outcomes.
- B. Degree programs: The IU Robert H. McKinney School of Law offers four degree programs:
1. The Juris Doctor (J.D.) degree: A three-year full-time or four-year part-time program that requires 90 credits to complete.
 2. A Masters of Jurisprudence (M.J) degree: A 30 credit program designed for working professionals who do not wish to practice law or to pursue a J.D. degree.
 3. A Masters of Law (L.L.M) degree: A 24 credit program designed for three target groups:
 - Individuals who have earned a foreign law degree and would like to improve their knowledge of U.S. law and, in some cases, take a U.S. bar exam.
 - Currently practicing U.S. lawyers a chance to hone their skills and deepen their knowledge of a specialized area of law.
 - Legal scholars who hope to proceed to a Ph.D. or S.J.D. degree in hopes of pursuing an academic career.
 4. A Doctorate in Juridical Science (S.J.D.) degree: A research-based degree culminating in a dissertation.

C. A.B.A. Assessment Requirements:

ABA Standard 302 requires law schools to identify learning outcomes consistent with the law school's stated mission and goals in its J.D. program. Standard 304 requires that law schools:

- (1) identify, define, carry out and disseminate methods used for assessment about the attainment of its learning outcomes and determine the pedagogical effectiveness of the assessment activities;
- (2) employ a variety of assessment methods and activities, consistent with effective pedagogy, systematically and sequentially throughout the curriculum to assess student attainment its learning outcomes; and
- (3) provide feedback to students periodically and throughout their studies About their progress in achieving its learning outcomes.

The interpretation notes for Standard 304 anticipate that law schools will use both internal measures to determine attainment of program learning objectives as well as external methods such as bar passage rates and alumni surveys. For this reason, this report includes information on bar passage success initiatives as well as the law school's work on program assessment.

II. Overall Student Success Initiatives

- A. **Academic Success Programs and Bar Passage:** For the past five years, the law school has been collecting data and making program changes in an effort to boost our bar passage rates. Among these changes, the law school now has a two-person office dedicated to student success while in law school and on the bar exam. This office is headed by Michele Cooley, J.D., who, working with the Vice Dean of the law school, has initiated a three-year strategic plan.

The Academic and Bar Success Program is in the first year of a three-year strategic plan. Specific initiatives that have already been implemented are as follows:

1. **Restructure peer-to-peer tutoring for first year students:** The Dean's Tutorial Society is a long-standing tradition within the law school, but the organization's structure and offered support did not reflect best practices of peer-to-peer support, nor did it incorporate development of academic success skills. Under the restructure, rather than having doctrinal fellows assigned to specific professors, Small Group Fellows meet with groups of 15-20 students on a bi-weekly basis to work on skills including study skills, analysis skills, and exam taking skills. Legal Communication and Analysis Fellows continue to offer assistance through the legal writing course. Small

Group Fellows are hired, managed, and trained by the Academic and Bar Success Program.

2. **Online academic skills workshops:** Based upon student feedback, the first year skills workshop series has been moved online. Offerings were expanded to include modules on study schedules, case briefing, and note taking, in addition to offering traditional live workshops on synthesis, outlining, and exam strategies as online interactive modules.
3. **Advanced Legal Analysis (ALA) Course Offering:** This course is for academically at-risk students who have completed their first year of law school. Offering this course fills a gap in the support offered to our second and third year students. It is being taught this fall semester by an adjunct instructor who has over ten years of academic and bar support experience. The course curriculum is modeled around the Multistate Performance Test and provides students the opportunity to develop and refine their analytical and writing skills.
4. **Bar Exam Substance, Strategies, and Tactics (BESST) approved as permanent course:** This course is a bar exam skills course that focuses on the multiple choice component of the bar exam along with the Multistate Performance Test. It focuses on how to strategically approach these components of the exam, and the skills necessary to be effective. In Spring 2019, the faculty approved Bar Exam Substance, Strategies, and Tactics as a permanent course.

While the course is not required for any student, the target audience is students with a cumulative GPA of less than 3.0 as they enter their final year of law school. To date, 72 students in that target audience who have taken the class have also taken a bar exam. First time taker results are as follows:

1st Time Takers \leq 3.0:	1st Time Taker \leq 3.0 Pass %:
Non-BESST: 67	Non-BESST: 25.37%
BESST: 72	BESST: 36.11%

While the sample size is still small, these numbers are encouraging because 1) students who take the course are out-performing those who are not taking the course and 2) more students in the at-risk population are taking the course than are not.

5. **Formalization of supplemental bar prep program:** The Academic and Bar Success Program offers support to alumni who are taking the bar exam (including alumni who have to retake the exam). The supplemental

program has been named the PASS (Practice and Supplemental Strategy) Program, and offers four supplemental practice sessions over the course of the ten week bar review period. These practice sessions cover each of the components of the bar exam.

6. **Warning policy changes:** In the Spring of 2019, the faculty approved proposed changes to the academic warning policy. Previously, students between a 2.31 and 2.40 GPA received a warning letter, the terms of which required them to meet with the Director/Associate Director of Academic and Bar Success. Changes to the policy included raising the GPA cutoff from 2.40 to 2.50, allowing the program staff to interact with academically at-risk students earlier on in their law school careers. The changes to the policy went into effect this fall semester.
7. **Bar results 2019:** Bar exam results for the Indiana bar exam in July 2019 and February 2019 are as follows (80-90% of our alums take the Indiana bar exam):

July 2019 (comparative)					
	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
1st Time Takers	160	111	69.38%	360	76.11%
Repeat Takers	38	12	31.58%	97	22.68%
Total Takers	198	123	62.12%	457	64.77%

February 2019 (comparative)					
	Taking (McKinney)	Passing (McKinney)	Passing % (McKinney)	Taking (IN)	Passing % (IN)
1st Time Takers	39	25	64.10%	111	67.57%
Repeat Takers	55	23	41.82%	129	34.88%
Total Takers	94	48	51.06%	240	50.00%

8. **Assessment of Program Initiatives:** Current assessment is anecdotal and based upon self-reporting. A Bar Exam Retrospective Survey is sent out one

time per year via Qualtrics to capture all first-time bar takers and asks about opinions related to impact of curricular choices, participation in BESST, participation in PASS, general study habits, etc.

Surveys will also be sent to current students regarding peer-to-peer support initiatives and participation in Advanced Legal Analysis, seeking input on student opinion as to whether these efforts advanced law school academic success skills and overall JD curriculum learning outcomes.

Participation in Academic and Bar Success programming (including voluntary programming, curricular offerings, and required meetings) and performance on the bar exam is currently being collected, and once the sample size is large enough, a statistical regression analysis will be performed to see what correlation there is between programming participation and success on the bar exam.

B. Efforts to Standardize Grading and Enforce the Curve to Better Inform Students About their Academic Standing and Prospects for Bar Exam Passage.

- 1. Correlation between Bar Passage Rates and Grading:** Grades are the primary method currently used in law school to inform students of their performance and legal competence. Students and potential employers rely on those grades to assess the student's understanding of the law and ability to practice law.

As noted above, approximately 30% of IU McKinney students fail the bar as the first time. Notably, almost all students with approximately a B- GPA at McKinney do not pass the bar exam, and students with a B GPA (3.0) have only a 50% chance of passing the bar. Despite these failure rates, currently the law school only flags 10% of McKinney students for poor academic performance. Students who are flagged receive warning letters, receive heightened monitoring from the academic success staff, and receive additional support. Because we flag only 10% of our students, while 30% fail the bar on their first attempt, 20% of our students who need academic success assistance, do not know they need that assistance and are unlikely to receive it. Additionally this variance between grades and bar passage rates conveys the wrong message to a large number of our students. These students achieve a GPA that may look good on its face, but in fact is a warning sign of the student's low prospects for success on the bar exam.

Recognizing a potential problem, the Dean of the law school, Andy Klein, specifically appointed Professors Nicholas Georgakopoulos and Margaret Tarkington to the J.D. Assessment and Evaluation Committee (the Committee) for 2018-2019 to study and consider

proposals dealing with grading and bar passage. During the fall 2018 semester, the Committee examined data and statistics compiled by Nicholas Georgakopoulos about raising the GPA cut off by .2 for both graduation and for dismissal from the law program. The committee decided that semester that a preferable method to achieve nearly the same end would be to require professors to comply with the already-existing grade distribution, particularly in the first year of law school.

2. **The Existing Grading Policy on Paper:** This is an excerpt from the existing grading policy:

Grading Policy

To assist in achieving grad uniformity, the faculty recommends that the average grade of each course be in the range of 2.9 to 3.1. The following grade distribution should be adopted as a suggested goal for all courses, subject to the terms of paragraph 3 below:

Required Basic-Level Courses:

<i>A+ through A:</i>	<i>10%</i>
<i>A- through B:</i>	<i>50%</i>
<i>B- through C:</i>	<i>35%</i>
<i>C- and below:</i>	<i>5%</i>

Other Courses:

<i>A through A-:</i>	<i>20%</i>
<i>B+ through B-:</i>	<i>60%</i>
<i>C+ and below:</i>	<i>20%</i>

Additionally, the policy makes the following exceptions for the class GPA mean:

- For ALL courses, other than basic required courses, even with 41 or more students, professors can go up to 3.2 without asking vice dean for variance
- For courses sized 21 to 40, professors can go up to 3.35 without asking vice dean for variance
- For courses sized 20 or less, professors can go up to 3.5 without asking vice dean for variance
- And the Grade Distribution is merely “suggested” throughout the policy—a professor never needs to ask for a variance

- 3. The Grading Policy in Practice:** Margaret Tarkington and Sonja Rice, both members of the committee, obtained and evaluated data regarding the actual grades submitted by law professors from Fall 2016 through Fall 2018. Despite the above policy, the data showed that in a significant number of upper level courses, the professors eschewed all C grades (lowest grade given was a B or B-).

Specifically: in Fall 2018, in 23 courses with 10+ to 41 students all students received As and Bs. In the 2017-2018 academic year, in 44 courses with 10+ to 44 students all students received As and Bs. In the 2016-2017 academic year, in 39 courses of 10+ to 44 students all students received As and Bs.

Further, the data confirmed that despite the recommended grade distribution, there was wide variation in the grades given by 1L faculty who teach large sections of required basic courses. In required basic courses, different sections of the same course do not give the same or a similar number of C- grades despite the policy recommending that 5% receive C- and below.

For example, the data showed:

- In Fall 2016, for Required Basic Course 1, one of the day sections had 1 grade C- and below, and the other section of that same course had 6 grades C- and below.
- In Fall 2016, for Required Basic Course 2, one of the day sections had 1 C- and below and the other section had 6 C- and below.
- In Fall 2018, for Required Basic Course 3, one section had 7 C- and below, while the other section had 1 C- and below.
- In Spring 2017, for Required Basic Course 3, one section had 1 C- and below, and the other section had 4 C- and below.
- In Spring 2018, there are 4 C- or below in the night section of Required Basic Course 4, when there was only one C- total for both day sections.

But the problem was not just at the low end—some professors give far more As and/or Bs than others: in some sections of required basic courses, students have a near 80% chance of getting a B grade (including B+, B, B-) and only 1-6% chance of getting any C grade (including C+, C, C-).

4. The Costs to Students of Inflated Grading and Inaccurate Assessment:

Again, despite these high grades, approximately 30% of IU McKinney students fail the bar as first time takers. Thus students are receiving high grades (in the B range) despite the fact that they have little or no chance of passing the bar. Again, the data showed that many courses do not give any grades below the B range.

This large disparity between high grades and low bar passage is significantly problematic because students are entirely unaware of their actual level of competence. They are not receiving an accurate assessment of their legal understanding and ability. Only the bottom 10% receive warning letters and are ever invited into student success programs, but nearly 30% are not passing the bar the first time.

Importantly, students are undertaking significant financial obligations in the form of student debt in order to complete law school. The committee also obtained data regarding these numbers. Students who graduated in 2017 and 2018 had an **average debt burden** of between \$96,000 and \$97,000. Although we were unable to obtain the numbers, students in the lower third of a class are more likely to have higher levels of debt because they are unlikely/unable to maintain scholarships. The bottom 25% of the 3L class is less likely to pass the bar exam than the top 75%. At the same time, they are more likely to carry high debt loads.

Professor Georgakopoulos used this data to demonstrate that obtained that the large disparities in grading practices undermined the accuracy of our class rankings at both the high and low end of each class. Class rankings are heavily relied upon by both students and employers. Further, Georgakopoulos's data showed that the disparities in grading had a more significant negative impact on minority students raising equity concerns. These concerns are exacerbated by the fact that students who are struggling financially may not access the law school's emergency assistance fund because there is a 3.0 GPA requirement to receive emergency fund.

5. Grades Should Reflect an Accurate Assessment of Ability, Including

Ability to Pass the Bar: It was the position of a majority of the Committee that we should amend the existing grading policy. Although the existing grading policy sounds like it was enforced/enforceable, the language was that compliance was suggested or recommended, and many professors clearly did not follow it.

The Committee proposed that the law school amend its grade distribution policy to more strongly require adherence to the grade curves. The proposal for amending the policy is outlined in this chart:

Type of Course	Required GPA Range (deviations require Vice Dean approval)	Grade Distribution
Required Basic Courses	2.9-3.1	Adherence required; deviation beyond 1.5% requires Vice Dean approval
All LCA I and II sections (regardless of section size)	2.8-3.2	Adherence strongly encouraged
Courses with 21 students or more	2.9-3.1	Adherence expected
Courses with 11-20 students	2.7-3.35	Adherence strongly encouraged
Courses with 10 students or less	2.6-3.5	Encouraged to keep in mind

If the law school adopts these changes, the benefits would include:

- Students would be more accurately graded throughout their law school experience (1) so they can be identified as needing academic assistance and receive such and (2) so they can evaluate whether to keep paying/borrowing money when they have no/low chance of passing the bar.
- The proposal would alleviate the problem of significant disparities in grading, especially across sections of the same required courses. Under the current policy, students who are “lucky” and are assigned or select professors who don’t give any low grades are actually (inadvertently) harmed because they aren’t identified as needing help (or put on academic probation or even dismissed) and they don’t realize that they have a low or no chance of passing the bar.
- By making grading more uniform in required basic courses, it would alleviate unfairness for students. Students are assigned their required basic courses, yet because of the disparity in grading, a student who is at the bottom of one section of the same course may have a significantly higher grade than a similarly situated student in another section of that same course.

- By alleviating disparities in grading, the proposal would also help create more accurate class rankings.

The proposal was presented and discussed at three faculty meetings—one in March and two in April, 2019. Ultimately, the faculty did not pass the proposal by a slim margin. The vote as to compliance with the 1L grade distribution was tied and so failed. Dean Klein indicated that in light of the data and the tied vote, he would task a different committee to continue to examine our grading problem in the 2019-2020 year. Nevertheless, the Evaluation, Teaching, and Assessment Committee is unaware of any efforts being made by another committee at this time to address this issue.

C. **Efficacy of Legal Process Course**

A mainstay of the law school's efforts to ensure that admitted students are prepared for the rigors of law school is the law school's three week "Legal Process" course that takes place in August before the fall semester commences. The law school strongly encourages students who have lower GPA and LSAT scores to enroll in the course. As a result, students who enroll in the course have significantly lower LSAT scores, are enrolled in significantly lower hours (indicating part-time status) and are more likely to be from an underrepresented ethnic group. While the law school recommends that students with lower index scores enroll in the course, students are not required to take the course.

The law school is working with Steve Graunke to determine the efficacy this course to determine whether the course should be required and/or whether the course needs to be redesigned. The initial analysis indicates that the students who complete the course go on to have significantly lower first term grades than other students. However, we have not yet run the data against students who were encouraged to take the course but did not. In a prior analysis, students who took the course, when compared against those who chose not to take it after being recommended to take it, were more likely to be retained. The current data is contained in **Appendix A**.

We are still in the early stages of implementing our academic success and student program outcomes assessment programs. To that end, we need to look at designing a data collection strategy that looks at the different components of our academic success program, rather than a single component, and our program assessment data to holistically determine what curricular changes should be made.

3. JD PROGRAM ASSESSMENT: JD Learning Outcomes

A. Process: As part of the law school's reaccreditation effort four years ago, the faculty adopted a set of eight learning outcomes for the JD program. In 2019, the Assessment Committee has recommended that the law school focus its data collection and assessment efforts on four of the eight outcomes. Those outcomes are most directly related to the law school's academic program and include:

1. Build upon an existing base of legal knowledge to succeed in the graduate's chosen career path.
2. *Work with others in a variety of legal contexts, and exercise skills as interviewing clients, counseling clients, serving on attorney teams, preparing witnesses, negotiating with adversaries, engaging in alternative dispute resolution, and persuading judicial and other decision-makers.*
3. Exhibit a high degree of competence in legal analysis, reasoning, and writing.
4. Exhibit a high degree of competence in legal research.

B. Rubric Development: The Assessment Committee has developed rubrics for Program Objectives 1, 2, and 4. Those rubrics are included in Appendix B. The Assessment Committee is currently developing a rubric for program objective 2 and rewriting the language of the objective itself. It is anticipated that there will be a draft completed by January 1.

4. Assessment Measures & Findings

A. INDIRECT MEASURES:

1. 3L Learning outcomes survey: The Assessment Committee sent a Qualtrics Survey to graduating 3L students in Spring 2019 to measure students' self-assessment of their achievement of our J.D. program objectives 1, 3, and 4. For the most part, students rated their achievement at a level equal to our anticipated index scores. For example, one question asked:

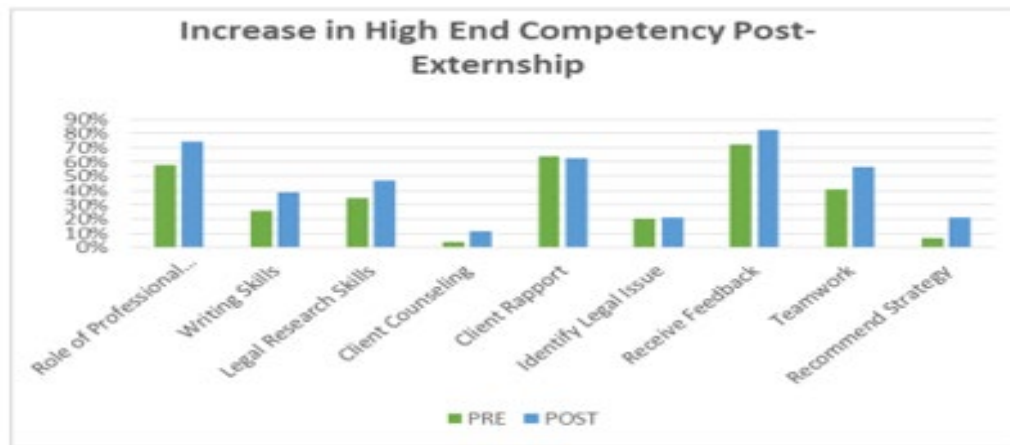
A key role that an attorney plays in representing a client is to select the appropriate strategy to use to achieve the client's goals. Based on your coursework at IU McKinney as well as any clinic, externship, or work experiences that you may have, how would you rate your skill in selecting an appropriate client strategy?

1. I am able to select an effective strategy and convince a client to adopt this strategy to achieve a client's realistic objectives. 32.84%
2. I am able to select an appropriate strategy and present a good opinion to the client to achieve the client's objectives. 50.75%

3. I am able to select a plausible strategy and present that recommendation to the client. 16.42%
4. I may recommend a course of action to a client that is unrealistic or unlikely to be ineffective. 0.00%

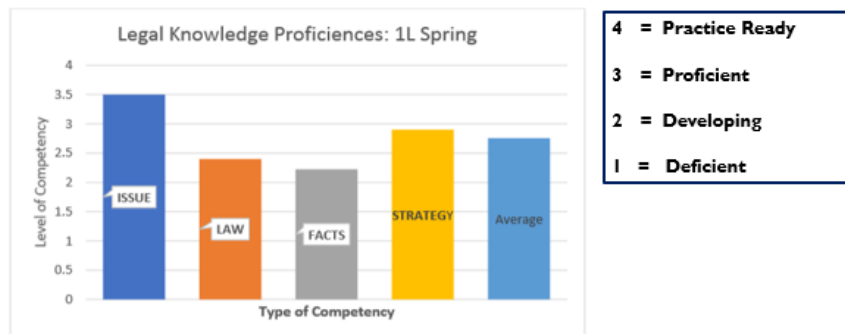
The full survey results are attached in [Appendix C](#).

2. Summer Externship Survey Results: The Assessment Committee also sent a Qualtrics survey to all student participants in our summer externship survey at the beginning and end of the externship. The survey indicated broad increases in students' lawyering skills with the exception of students' proficiency in client counseling skills (roughly the same question as above). We posit that students may believe they have good client counseling skills until they actually sit down and meet an actual client. The full survey is attached in [Appendix D](#).



- B. **DIRECT MEASURES**: The assessment committee conducted a pilot direct assessment program using our rubric for our JD program objective one. Three criminal law professors scored the essay section of the first year criminal law final exam using the rubric. Prior to scoring exams individually, the faculty met and scored a number of exams as a group to develop a group scoring consensus. The results indicate that students perform well on the skill of identifying legal issues but not so well on their knowledge of the law and applying the law to relevant facts.

APPLY KNOWLEDGE RUBRIC TO 1L CRIMINAL LAW EXAMS



5. Action Taken in Response to Findings

- A. The two professors who are teaching the first-year criminal law course in Spring 2020 are planning on designing two in class formative assessments that focus on the legal knowledge competencies that fell below our expectations. We will again use a common exam question across section. Separate from the course grading, the criminal law professors will meet and once again apply the “Legal Knowledge” rubric to the first-year criminal law exams.
- B. The results from the 2019 Summer Externship survey are helping to inform the development of a rubric for program objective two which focuses on lawyering skills.

6. Efforts to Expand Collection of Direct Measures

- A. Fall Retreat: The results of the 1L Criminal Law pilot norming project for program objective one were shared with the law school faculty at the fall faculty retreat.
- B. Spring Norming Sessions: We are planning on expanding our pilot into a permanent data collection effort on our program rubrics. In June 2020, nine faculty will get together in groups of three. Each group will apply a rubric to a random sample of student artifacts. This will enable us to collect data on specific program rubrics.
- C. Use of Lawyering Skills Rubric in Externships: We are planning to give each externship participant a copy of the lawyering skills rubric at the start of their externship. In addition, we hope to introduce the rubric to the externship supervisors at their annual lunch in Spring 2020 and then have each supervisor complete the rubric for each externship student.

7. NON-JD PROGRAM ASSESSMENT

The law school has begun to look at drafting program outcomes for the SJD and LLM programs. Under the leadership of Miki Hamstra, Director of Graduate Programs, faculty are now reviewing a set of draft learning outcomes for the S.J.D. program. For the past two years, the program has been focused on tightening up program policies and admissions standards under the leadership of Vice Dean Karen Bravo.

IU McKinney S.J.D. Draft Student Learning Outcomes

1. Conduct a literature and legal review in a chosen subfield of law and to identify a topic on which the student can make a substantial and original contribution to the existing body of knowledge and legal analysis.
2. Refine the research topic in light of comments from faculty advisors and from the results of the student's initial literature and legal review.
3. Develop an effective research methodology and research plan.
4. Conduct original research on the student's topic and related legal issues.
5. Produce a dissertation of publishable quality constituting an original and scholarly contribution to a particular area of law.
6. Demonstrate an ability to participate in scholarly debate related to the student's particular area of law.

Once the faculty have approved the S.J.D. program outcomes, effort will commence on rubric development. Similarly, the Director of Graduate Programs is commencing a similar effort with respect to the LLM program. Because that program has separate tracks, this will involve coordination with the faculty track directors.

Appendices

- A. Legal Process Course Effectiveness
- B. JD Program Rubrics
- C. 3L Survey Results
- D. Summer Externship Survey Results

APPENDIX A: Legal Process Course Effectiveness

So I've completed an initial analysis of first term GPA for new Law students who completed the Legal Process course and those who did not. First of all, I should note that I only looked at Fall 2017 and fall 2018 students; we initially pulled only data on those students as that was what we discussed back when we started with this in May and June. I can go back and get data on students from prior years depending on how you'd like to proceed with subsequent analysis. There were also 13 students in Fall 2017 and Fall 2018 where we still don't seem to have LSAT scores, which I also excluded.

First, based on the data we have, it's obvious that the Legal Process students are very different from those not enrolled in the course. Legal process students in Fall 2017 and Fall 2018 had significantly lower LSAT scores, were enrolled in significantly fewer hours, and were significantly more likely to be from an underrepresented ethnic group (i.e. African American, Latinx, Native American/Alaska Native, or Two or More Races). See table below.

	<i>N</i>	<i>First Fall GPA Mean</i>	<i>LSAT Mean</i>	<i>Underrepresented student Percentage</i>	<i>female Percentage</i>	<i>FALL HOURS ENROLLED Mean</i>
<i>LEGAL PROCESS</i>						
<i>No</i>	437	3.07	153.31	14%	51%	15.04
<i>Yes</i>	44	2.60	148.77	27%	43%	14.32
<i>All</i>	481	3.02	152.90	15%	51%	14.98

All that said, students who took the Legal process course still had a significantly lower GPA than non-participants, even after controlling for these factors (see below). I think context here is extremely important. For one, after looking over the initial analysis I did for Johnny Pryor, we were able to identify which students were invited to participate in Legal Process but didn't participate. When compared to those students, students who attended Legal Process had similar first term GPA and were more likely to be retained than those who opted out (see second set of charts below). I think those students would make for a more effective comparison group, seeing as how they should generally be similar to the Legal Process students (other than the fact that they opted not to attend).

Is it still optional to attend Legal process and if so is it possible to get information on those students who opted out? If not, I can try to identify a matched comparison group of students

that did not attend Legal Process. However, since (I believe) there are specific criteria for invitation to the Legal process course, I'm not positive any group I draw would be comparable.

Either way, I think this is just the beginning of these analyses. Legal Process should not be hurting a student's GPA, so there is obviously more to investigate in order to explain these results. I'll be out of the office next week but please let me know how you'd like to proceed.

Course	N	Average First Semester GPA (SD) ¹	Adjusted for LSAT score, race/ethnicity, gender and number of credit hours taken
All Fall 2017 and Fall 2018 First Year Students*^a			
Completed Legal Process Course	44	2.60 (0.56)	2.75
Did not complete Legal Process Course	437	3.07 (0.45)	3.05
2017 and Fall 2018 First Year Students enrolled in less than 16 credit hours^b			
Completed Legal Process Course	16	2.60 (0.47)	2.85
Did not complete Legal Process Course	106	3.10 (0.47)	3.06
2017 and Fall 2018 First Year Students enrolled in 16 credit hours or more *^d			
Completed A202 at IUPUI-Indianapolis	28	2.60 (0.61)	2.72
Completed A202 through IU Online	331	3.05 (0.45)	3.04

* Analysis of Covariance revealed a statistically significant difference between groups after controlling for LSAT score, race/ethnicity (underrepresented students were coded as 1), gender (Female was coded as 1) and credit hours enrolled.

¹ A+, A=4.0; A- = 3.7, B+ = 3.3, B = 3.0, B- = 2.7, C+ = 2.3, C = 2.0, C- = 1.7, D+ = 1.3, D = 1.0, D- = 0.7, F = 0.

Retained Frequency Col Pct	LP_elig(Eligible for Legal Process)			Total
	No Legal Process	Opted out of Legal Process	Attended Legal Process	
	257	30	46	333
	23.86	38.46	29.49	
	820	48	110	978
	76.14	61.54	70.51	
	1077	78	156	1311

Analysis Variable : FIRST_TRM_GPA

Eligible for Legal Process	N Obs	N	Mean	Std Dev	Minimum	Maximum
<i>No Legal Process</i>	1077	1077	3.0793937	0.4977393	0	4.0000000
<i>Opted out of Legal Process</i>	78	78	2.8150000	0.4368399	1.7750000	3.7400000
<i>Attended Legal Process</i>	156	156	2.7784103	0.4454381	1.7000000	3.9400000

APPENDIX B: J.D. PROGRAM RUBRICS

PROGRAM OBJECTIVE ONE:

COMPETENCIES FOR LEGAL KNOWLEDGE, REASONING, AND ANALYSIS: PROGRAM OBJECTIVE ONE



Shorthand	Competency	Practice-Ready	Proficient	Developing	Deficient
Overarching Issue Spotting	Identifying relevant legal issues raised by clients' legal problems	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues
Understanding and Analysis of Law	Identifying relevant legal rules applicable to each issue. Synthesizes multiple authorities into a cohesive rule and understands how statutory, common law, and constitutional law interplay and evolve.	FORMULATES/CONSTRUCTS all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities into a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact	SUMMARIZES/IDENTIFIES some relevant legal rule. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
Use of Legally Significant Facts and Recognition of Missing Facts	Identifying legally significant facts applicable to each issue; recognizing and identifying relevant missing facts, including demonstrating an understanding of methods for discovering such facts and dealing with factual gaps where facts are unavailable.	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.

COMPETENCIES FOR LEGAL KNOWLEDGE, REASONING, AND ANALYSIS: PROGRAM OBJECTIVE ONE

Specific application of law to factual scenarios	Applying the relevant legal rules to the legally significant facts and, as necessary, analogizing and distinguishing authorities, and responding to counterarguments.	JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments . SUPPORTS arguments with persuasive analysis.	Mostly JUSTIFIES selection of legally significant rules and facts . Makes some arguments concerning the strength of opposing viewpoints/arguments . SUPPORTS some arguments with persuasive analysis.	Partially JUSTIFIES selection of legally significant rules and facts . Sometimes makes arguments concerning the strength of opposing viewpoints/arguments . Fails to support arguments with persuasive analysis.	Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.
Selecting an appropriate strategy	Drawing and presenting appropriate conclusions based on the facts, taking into account the clients' interests , goals, and objectives.	SELECTS an effective strategy and PRESENTS A CONVINCING OPINION to the client to achieve client's realistic objectives and resources .	SELECTS an appropriate strategy and PRESENTS A GOOD OPINION to the client to achieve client's realistic objectives and resources .	SELECTS a plausible strategy and PRESENTS that recommendation to the client.	RECOMMENDS a course of action to the client that is unrealistic or likely to be ineffective.

COURSES: Criminal Law, International Business Transactions, Secured Transactions, Torts (?), Externships (?)

Definitions:

Practice-Ready: Could be used in practice as written [only minor edits/changes needed]

Proficient: Could be used in practice with some editing by a supervising attorney

Developing: Could be used in practice with substantial editing/re-writing

Deficient: Could not be used in practice

PROGRAM OBJECTIVE THREE:

LEGAL WRITING PROFICIENCIES: PROGRAM OBJECTIVE THREE

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Competency	Practice-Ready	Proficient	Developing	Deficient
Overarching Issue Spotting	SELECTS and ANALYZES all relevant legal issues and does not select irrelevant legal issues.	SELECTS and ANALYZES most relevant legal issues and rarely selects irrelevant legal issues.	SELECTS and ANALYZES some relevant legal issues and some irrelevant legal issues.	SELECTS and ANALYZES few relevant legal issues and many irrelevant legal issues.
Demonstrates Proper Use of Authority	SELECTS AND UTILIZES all sources wisely and appropriately. Properly ATTRIBUTES all ideas to correct sources.	SELECTS AND UTILIZES most sources wisely and appropriately. Properly ATTRIBUTES most ideas to correct sources.	SELECTS AND UTILIZES some sources wisely and appropriately. Properly ATTRIBUTES some ideas to correct sources.	Fails to UTILIZE sources wisely and appropriately. FAILS to properly ATTRIBUTE ideas to correct sources.
Demonstrates Effective Organization	PRESENTS all ideas and supporting information in logical order. Always UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS most ideas and supporting information in logical order. Mostly UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS some ideas and supporting information in logical order. Somewhat UTILIZES an appropriate paradigm and without unnecessary repetition.	PRESENTS few ideas and supporting information in logical order. Fails to UTILIZE an appropriate paradigm or does so with unnecessary repetition.
Understanding and Analysis of Law	FORMULATES/CONSTRUCTS all relevant legal rules. SYNTHESIZES multiple authorities into a cohesive rule. DEMONSTRATES a thorough understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS most relevant legal rules. SYNTHESIZES most authorities into a cohesive rule. DEMONSTRATES an adequate understanding of how statutory, common law, and constitutional law interact.	FORMULATES/CONSTRUCTS some relevant legal rules. SYNTHESIZES some authorities into a cohesive rule. DEMONSTRATES a partial understanding of how statutory, common law, and constitutional law interact.	SUMMARIZES/IDENTIFIES some relevant legal rules. Either fails to SYNTHESIZE authorities or does so in a manner that is not cohesive. Poorly understands how statutory, common law, and constitutional law interact.
Use of Legally Significant Facts and Recognition of Missing Facts	CHOOSES all legally significant facts and no legally irrelevant facts. IDENTIFIES all relevant missing facts and DEMONSTRATES an understanding of how to discover such facts or appropriately deal with factual gaps.	CHOOSES most legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES most relevant missing facts and DEMONSTRATES some understanding of how to discover such facts or appropriately deal with factual gaps.	IDENTIFIES many legally significant facts and rarely identifies legally irrelevant facts. IDENTIFIES some relevant missing facts and recognizes the need to discover them.	Fails to DIFFERENTIATE between legally significant and insignificant facts. Fails to identify relevant missing facts and/or assumes missing facts into existence.

LEGAL WRITING PROFICIENCIES: PROGRAM OBJECTIVE THREE

Specific Application of Law to Factual Scenarios	JUSTIFIES selection of legally significant rules and facts. EVALUATES the strength of opposing viewpoints/arguments. SUPPORTS arguments with persuasive analysis.	Mostly JUSTIFIES selection of legally significant rules and facts. Makes some arguments concerning the strength of opposing viewpoints/arguments. SUPPORTS some arguments with persuasive analysis.	Partially JUSTIFIES selection of legally significant rules and facts. Sometimes makes arguments concerning the strength of opposing viewpoints/arguments. Fails to support arguments with persuasive analysis.	Makes a mostly unsupported statement about the relevant law that is largely devoid of critical analysis.
Legal Analysis: Policy	Always USES policy arguments where applicable.	Sometimes USES policy arguments when applicable.	Rarely USES applicable policy arguments.	Does not MAKE policy arguments.
Demonstrates Appropriate Tone	Always ADAPTS tone and detail to audience, purpose, and context.	Often ADAPTS tone and detail to audience, purpose, and context.	Sometimes ADAPTS tone and detail to audience, purpose, and context.	Rarely ADAPTS tone and detail to audience, purpose, and context.
Demonstrates Appropriate Style	Always EMPLOYS clear and precise communication tools. Always DEMONSTRATES attention to detail. Always UTILIZES proper citation, language, grammar, punctuation, and/or style convention.	Often EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, <u>grammar</u> , punctuation, and/or style conventions.	Sometimes EMPLOYS clear and precise communication tools. Often DEMONSTRATES attention to detail. Often UTILIZES proper citation, language, <u>grammar</u> , punctuation, and/or style conventions.	Rarely EMPLOYS clear and precise communication tools. Rarely DEMONSTRATES attention to detail. Rarely UTILIZES proper citation, language, <u>grammar</u> , punctuation, and/or style conventions.
Demonstrates Compliance with Formal Requirements	Always MEETS deadlines. Always FOLLOWS provided instructions. Always OBSERVES applicable rules. Always INCLUDES all relevant components.	Consistently MEETS deadlines. Consistently FOLLOWS provided instructions. Consistently OBSERVES applicable rules. Consistently INCLUDES all relevant components.	Often MEETS deadlines. Often FOLLOWS provided instructions. Often OBSERVES applicable rules. Often INCLUDES all relevant components.	MISSES deadlines. Rarely FOLLOWS provided instructions. Rarely OBSERVES applicable rules. Rarely INCLUDES all relevant components.

COURSES:

Baseline	Advanced	Capstone
1L Legal Communication and Analysis	Contract Drafting, Litigation Drafting	Clinics, Externship

DEFINITIONS:

Practice-Ready	Proficient	Developing	Deficient
Could be used in practice as written [only minor edits/changes needed]	Could be used in practice with some editing by a supervising attorney	Could be used in practice with substantial editing/re-writing	Could not be used in practice

PROGRAM OBJECTIVE THREE:

LEGAL RESEARCH RUBRIC: PROGRAM OBJECTIVE THREE



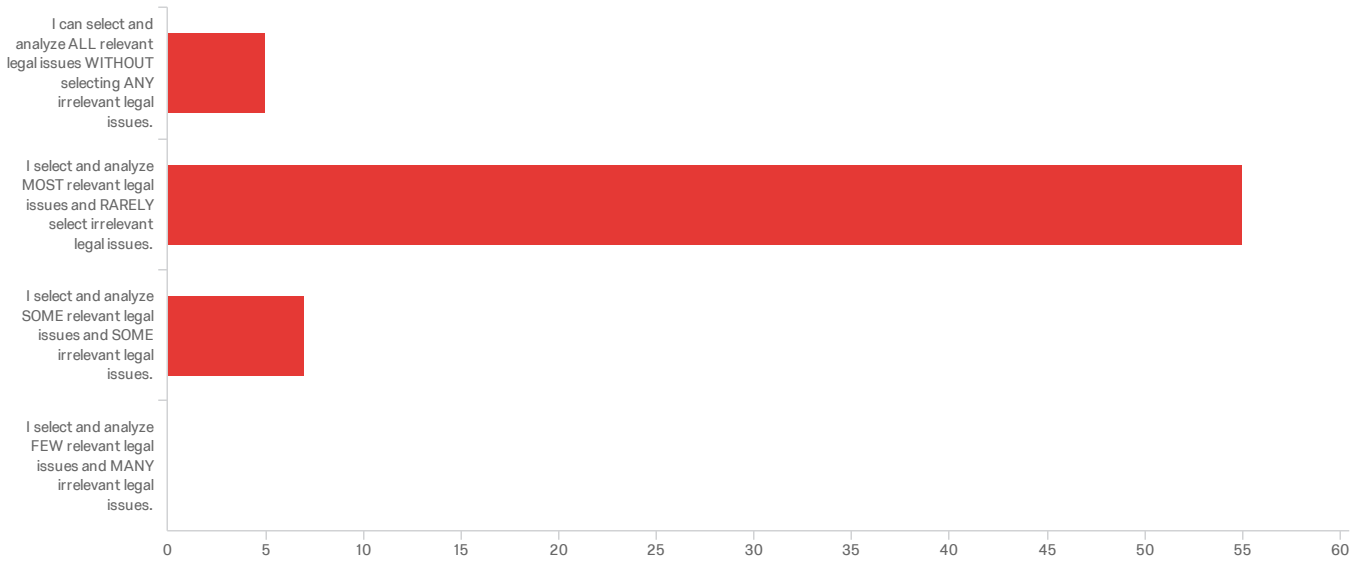
Competency	Practice-Ready	Proficient	Developing	Deficient
Develop legal research questions and appropriate research strategies	DEVELOPS specific legal research questions and strategies that are very likely to identify relevant sources efficiently.	DEVELOPS specific legal research questions and strategies that are somewhat likely to identify relevant sources efficiently.	DEVELOPS vague research questions and strategies that may lead to relevant sources.	Fails to DEVELOP research questions or research strategies are likely to be fruitless or misleading.
Identify appropriate primary and secondary sources for a legal research question.	SELECTS appropriate primary and secondary sources.	Mostly SELECTS appropriate primary and secondary sources.	Sometimes confuses primary and secondary sources, or sometimes fails to SELECT appropriate sources.	Confuses primary and secondary sources, and fails to SELECT appropriate sources.
Use search tools and finding aids to find materials relevant to legal research question.	UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Mostly UTILIZES search tools and finding aids to effectively and efficiently find relevant materials.	Sometimes UTILIZES search tools and finding aids to effectively find relevant materials.	Fails to UTILIZE search tools and finding aids to find relevant materials.
Considering jurisdiction and weight of authority, selects relevant and appropriate sources	SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Mostly SELECTS relevant and appropriate sources, and ANALYZES differences in jurisdiction and weight of authority.	Sometimes SELECTS relevant and appropriate sources, but fails to ANALYZE articulates differences in jurisdiction and weight of authority.	Fails to SELECT appropriate or relevant sources, or correctly ANALYZE differences in jurisdiction and weight of authority.
Evaluate a source's validity, currentness, and authority	Correctly EVALUATES a source's validity, currentness, and authority.	Mostly correctly EVALUATES a source's validity, currentness, and authority.	Sometimes correctly EVALUATES a source's validity, currentness, and authority.	Fails to EVALUATE or incorrectly EVALUATES a source's validity, currentness, or authority.
Comments				

COURSES:

Baseline	Advanced	Capstone
1L legal research		Advanced writing requirement

APPENDIX C: 3L Survey Results

Q1 - One of the goals of the JD program is to improve students' ability to identify relevant legal issues in a factual scenario. Thinking across the courses, clinics, and externships that you completed in the last year, which of the following statements BEST describes your proficiency level with respect to "issue spotting"?

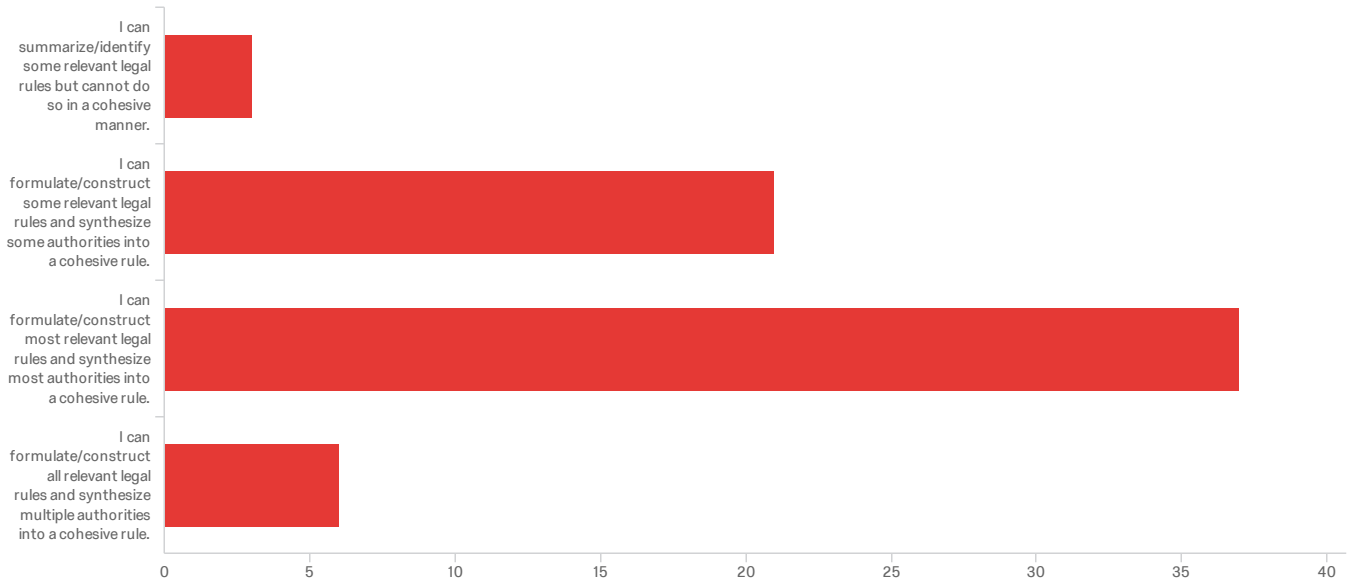


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
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1	One of the goals of the JD program is to improve students' ability to identify relevant legal issues in a factual scenario. Thinking across the courses, clinics, and externships that you completed in the last year, which of the following statements BEST describes your proficiency level with respect to "issue spotting"?	1.00	3.00	2.03	0.42	0.18	67
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#	Field	Choice Count
1	I can select and analyze ALL relevant legal issues WITHOUT selecting ANY irrelevant legal issues.	7.46% 5
2	I select and analyze MOST relevant legal issues and RARELY select irrelevant legal issues.	82.09% 55
3	I select and analyze SOME relevant legal issues and SOME irrelevant legal issues.	10.45% 7
4	I select and analyze FEW relevant legal issues and MANY irrelevant legal issues.	0.00% 0

Q2 - Another goal of the JD program is to train students to identify relevant legal rules raised by an issue and to be able to synthesize multiple authorities of law into a cohesive rule. Which of the following statements BEST describes your ability to understand and analyze the law?

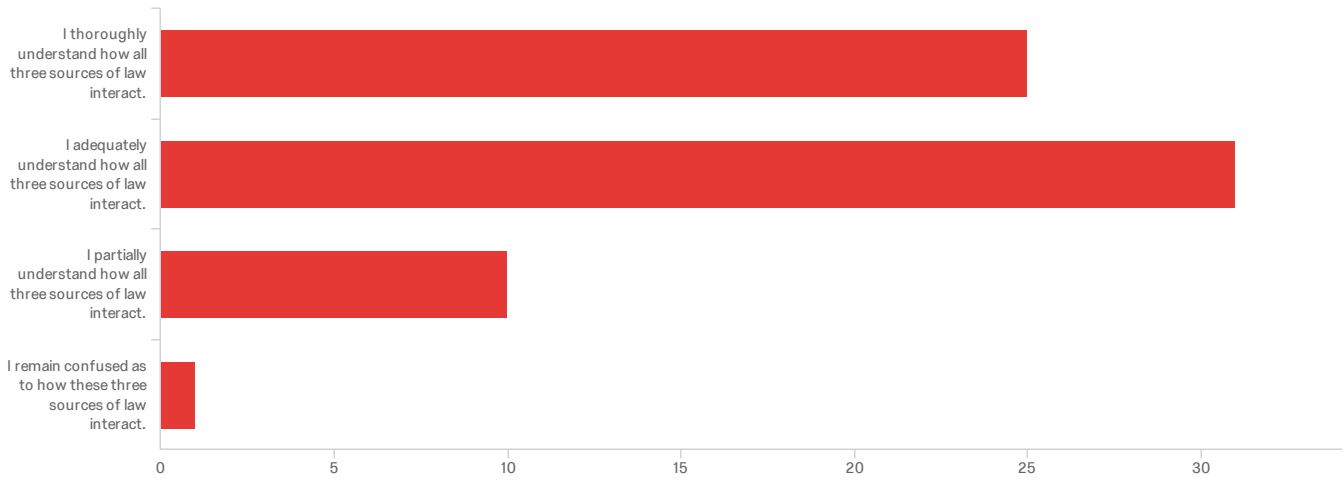


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
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1	Another goal of the JD program is to train students to identify relevant legal rules raised by an issue and to be able to synthesize multiple authorities of law into a cohesive rule. Which of the following statements BEST describes your ability to understand and analyze the law?	1.00	4.00	2.69	0.70	0.48	67
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#	Field	Choice Count
1	I can summarize/identify some relevant legal rules but cannot do so in a cohesive manner.	4.48% 3
2	I can formulate/construct some relevant legal rules and synthesize some authorities into a cohesive rule.	31.34% 21
3	I can formulate/construct most relevant legal rules and synthesize most authorities into a cohesive rule.	55.22% 37
4	I can formulate/construct all relevant legal rules and synthesize multiple authorities into a cohesive rule.	8.96% 6

Q3 - Thinking back on all your coursework at IU McKinney, how would you rate your ability to understand how statutory, common law, and constitutional law interact?



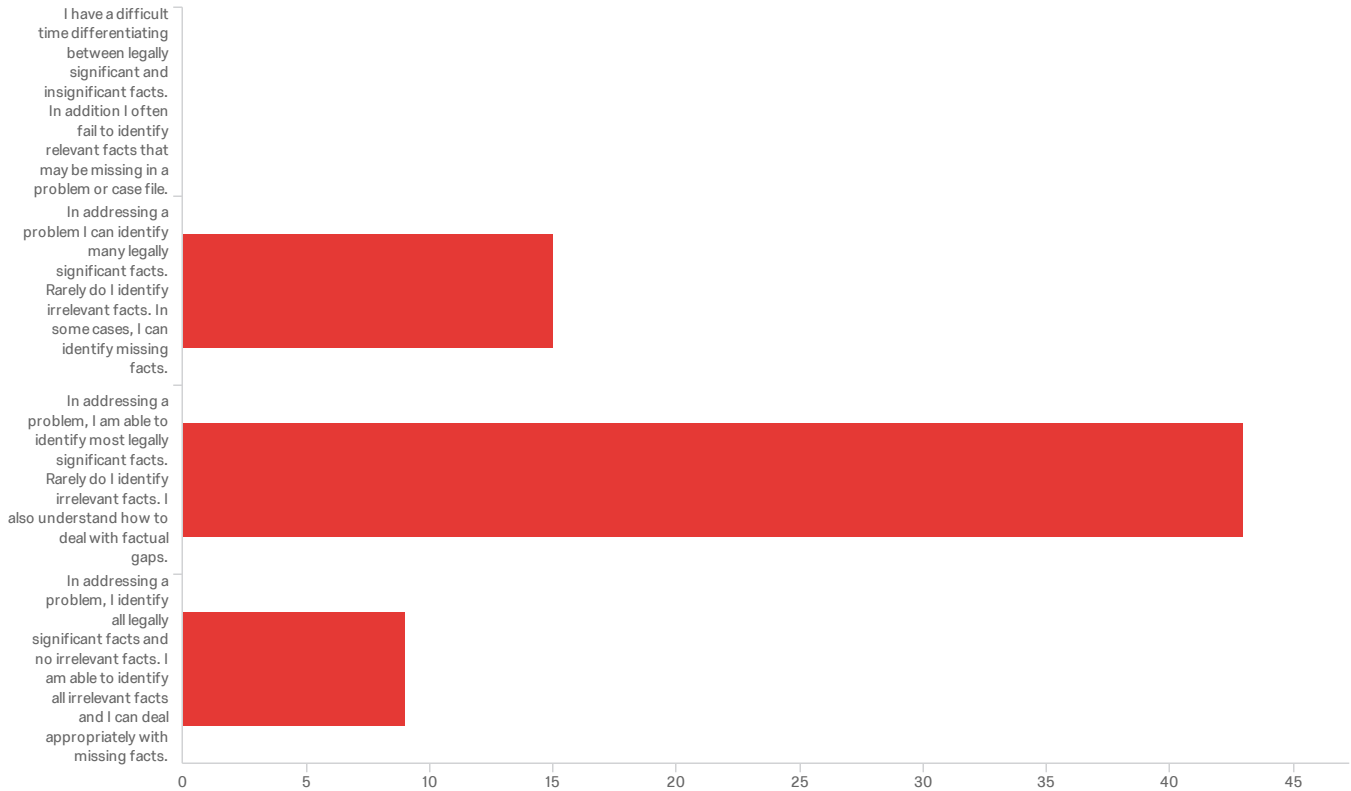
#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	Thinking back on all your coursework at IU McKinney, how would you rate your ability to understand how statutory, common law, and constitutional law interact?	1.00	4.00	1.81	0.74	0.54	67

#	Field	Choice Count
1	I thoroughly understand how all three sources of law interact.	37.31% 25
2	I adequately understand how all three sources of law interact.	46.27% 31
3	I partially understand how all three sources of law interact.	14.93% 10
4	I remain confused as to how these three sources of law interact.	1.49% 1

67

Showing rows 1 - 5 of 5

Q4 - A key lawyering skill the ability to work with the facts of a specific case. This involves identifying which facts are legally significant, identifying what facts may be missing, as well as with knowing how to handle factual gaps in a case. Which of the following statements best describes your ability with respect to working with facts?



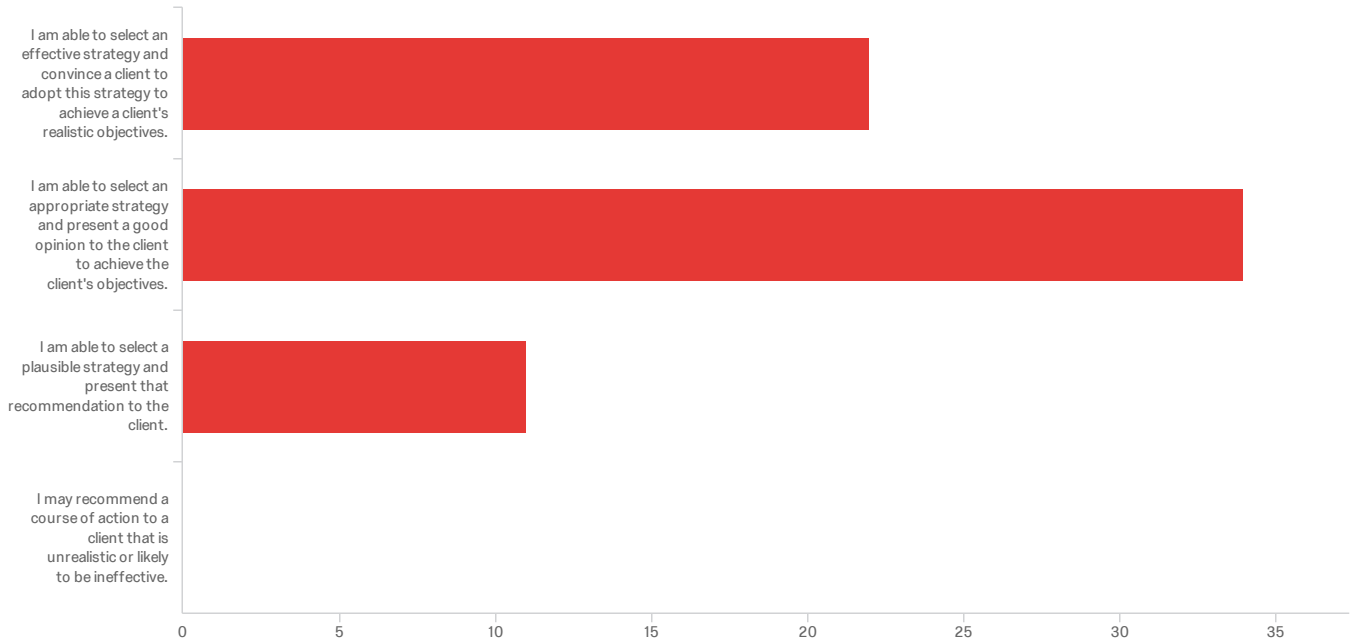
#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	A key lawyering skill the ability to work with the facts of a specific case. This involves identifying which facts are legally significant, identifying what facts may be missing, as well as with knowing how to handle factual gaps in a case. Which of the following statements best describes your ability with respect to working with facts?	2.00	4.00	2.91	0.59	0.35	67
#	Field						Choice Count
1	I have a difficult time differentiating between legally significant and insignificant facts. In addition I often fail to identify relevant facts that may be missing in a problem or case file.						0.00% 0

#	Field	Choice Count
2	In addressing a problem I can identify many legally significant facts. Rarely do I identify irrelevant facts. In some cases, I can identify missing facts.	22.39% 15
3	In addressing a problem, I am able to identify most legally significant facts. Rarely do I identify irrelevant facts. I also understand how to deal with factual gaps.	64.18% 43
4	In addressing a problem, I identify all legally significant facts and no irrelevant facts. I am able to identify all irrelevant facts and I can deal appropriately with missing facts.	13.43% 9

67

Showing rows 1 - 5 of 5

Q5 - A key role that an attorney plays in representing a client is to select the appropriate strategy to use to achieve the client's goals. Based on your coursework at IU McKinney as well as any clinic, externship, or work experiences that you may have, how would you rate your skill in selecting an appropriate client strategy?

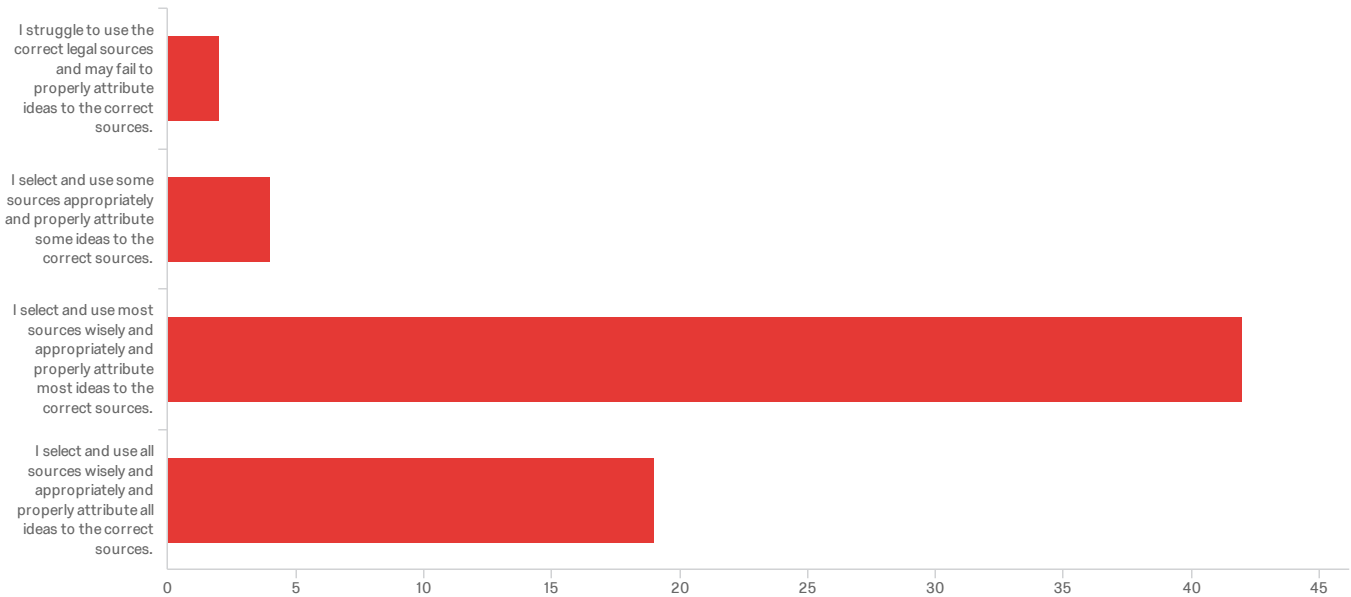


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	A key role that an attorney plays in representing a client is to select the appropriate strategy to use to achieve the client's goals. Based on your coursework at IU McKinney as well as any clinic, externship, or work experiences that you may have, how would you rate your skill in selecting an appropriate client strategy?	1.00	3.00	1.84	0.68	0.47	67

#	Field	Choice Count
1	I am able to select an effective strategy and convince a client to adopt this strategy to achieve a client's realistic objectives.	32.84% 22
2	I am able to select an appropriate strategy and present a good opinion to the client to achieve the client's objectives.	50.75% 34
3	I am able to select a plausible strategy and present that recommendation to the client.	16.42% 11
4	I may recommend a course of action to a client that is unrealistic or likely to be ineffective.	0.00% 0

Q6 - A key legal writing skill is the ability to select and use the proper legal authority.

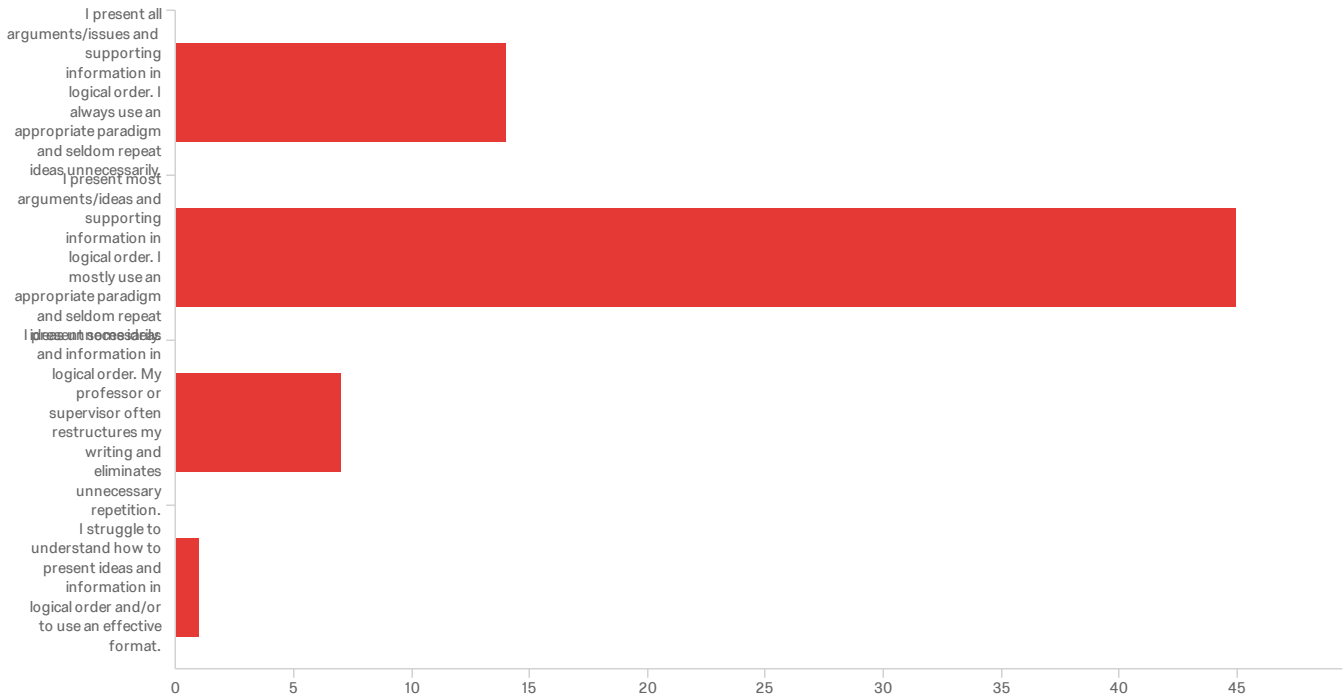
Which of the following phrases best describes your current ability to find and use legal authorities?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	A key legal writing skill is the ability to select and use the proper legal authority. Which of the following phrases best describes your current ability to find and use legal authorities?	1.00	4.00	3.16	0.66	0.44	67

#	Field	Choice Count
1	I struggle to use the correct legal sources and may fail to properly attribute ideas to the correct sources.	2.99% 2
2	I select and use some sources appropriately and properly attribute some ideas to the correct sources.	5.97% 4
3	I select and use most sources wisely and appropriately and properly attribute most ideas to the correct sources.	62.69% 42
4	I select and use all sources wisely and appropriately and properly attribute all ideas to the correct sources.	28.36% 19

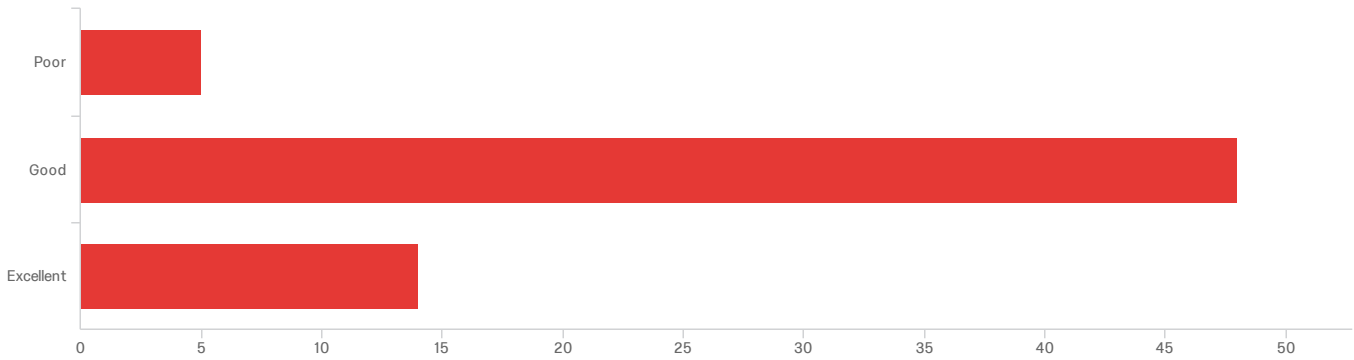
Q7 - One of the challenges in writing briefs, memos, and motions is figuring out the most effective way to organize your writing. Where would you rate your ability to organize your legal writing at this stage of your law school career?



#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	One of the challenges in writing briefs, memos, and motions is figuring out the most effective way to organize your writing. Where would you rate your ability to organize your legal writing at this stage of your law school career?	1.00	4.00	1.93	0.61	0.37	67

#	Field	Choice Count
1	I present all arguments/issues and supporting information in logical order. I always use an appropriate paradigm and seldom repeat ideas unnecessarily.	20.90% 14
2	I present most arguments/ideas and supporting information in logical order. I mostly use an appropriate paradigm and seldom repeat ideas unnecessarily.	67.16% 45
3	I present some ideas and information in logical order. My professor or supervisor often restructures my writing and eliminates unnecessary repetition.	10.45% 7
4	I struggle to understand how to present ideas and information in logical order and/or to use an effective format.	1.49% 1

Q8 - In some cases, it is appropriate to make a policy argument in an attempt to sway the court. How would you rate your ability to determine when and how to raise a policy argument?

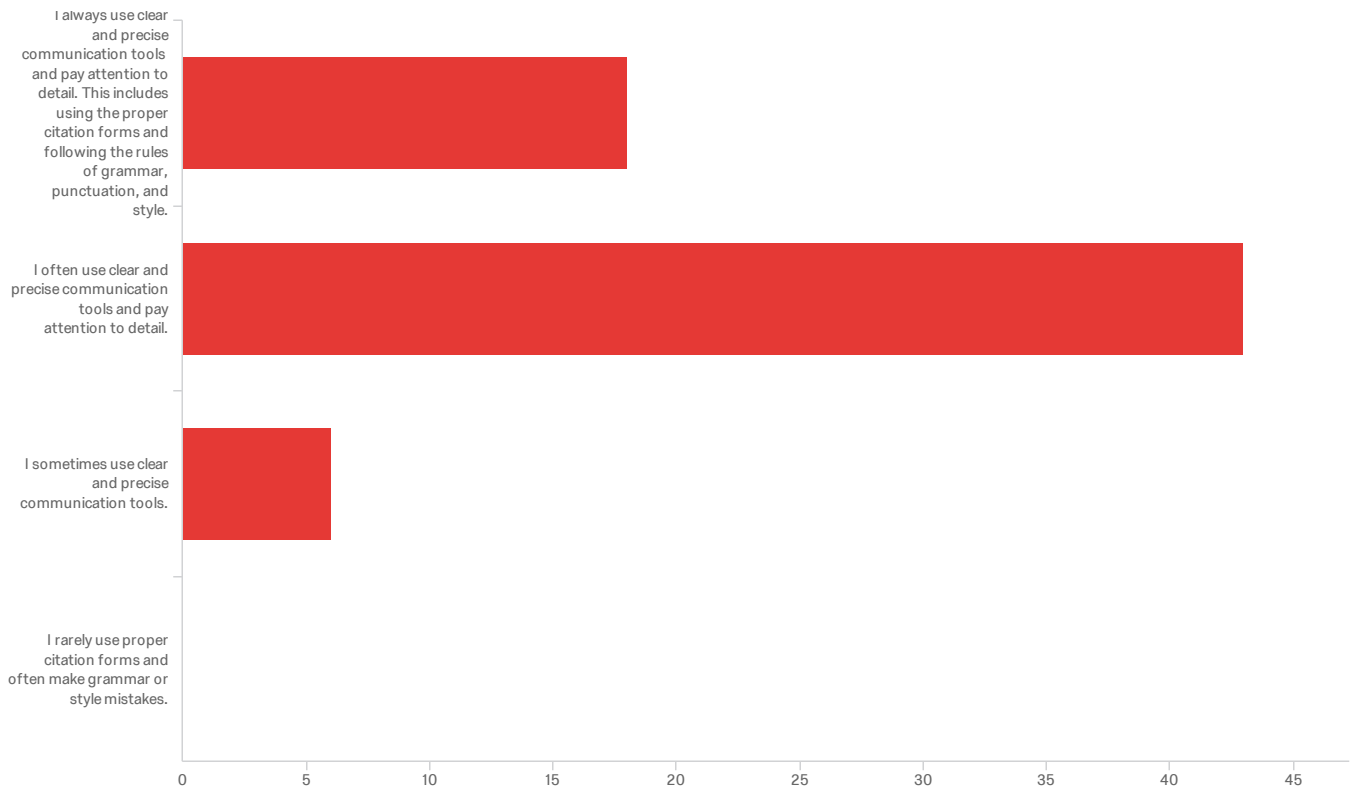


#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	In some cases, it is appropriate to make a policy argument in an attempt to sway the court. How would you rate your ability to determine when and how to raise a policy argument?	1.00	3.00	2.13	0.52	0.27	67

#	Field	Choice Count
1	Poor	7.46% 5
2	Good	71.64% 48
3	Excellent	20.90% 14
		67

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Q9 - One key to writing effectively is to use clear and precise communication tools and to follow proper rules for citation and grammar. Which of the following statements best describes your current legal writing ability?



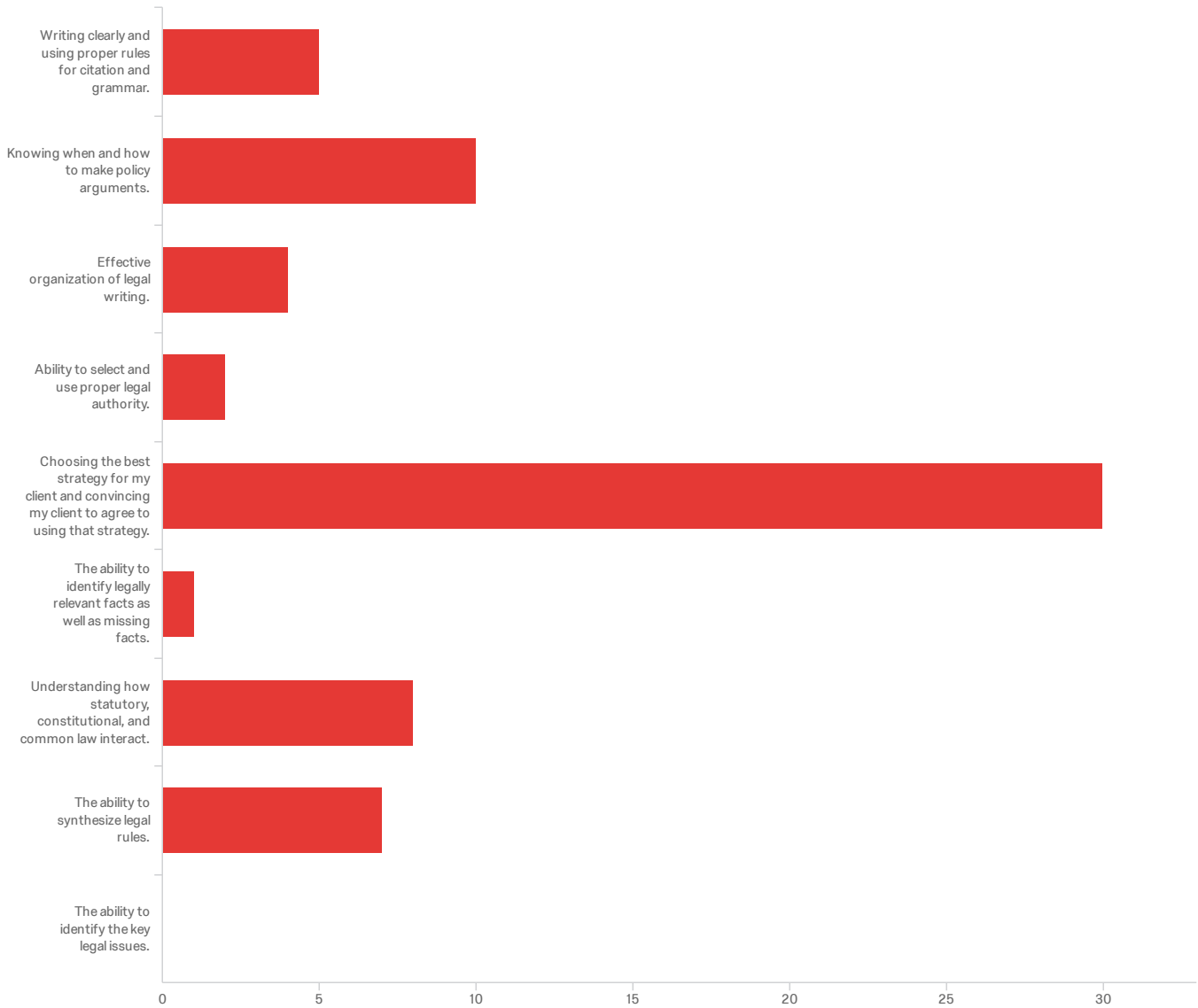
#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	One key to writing effectively is to use clear and precise communication tools and to follow proper rules for citation and grammar. Which of the following statements best describes your current legal writing ability?	1.00	3.00	1.82	0.57	0.33	67

#	Field	Choice Count
1	I always use clear and precise communication tools and pay attention to detail. This includes using the proper citation forms and following the rules of grammar, punctuation, and style.	26.87% 18
2	I often use clear and precise communication tools and pay attention to detail.	64.18% 43
3	I sometimes use clear and precise communication tools.	8.96% 6
4	I rarely use proper citation forms and often make grammar or style mistakes.	0.00% 0

Q10 - As you consider the legal education you have obtained at IU McKinney and

prepare to practice law, which one of the skills mentioned in this survey do you feel that

the curriculum did not adequately address?



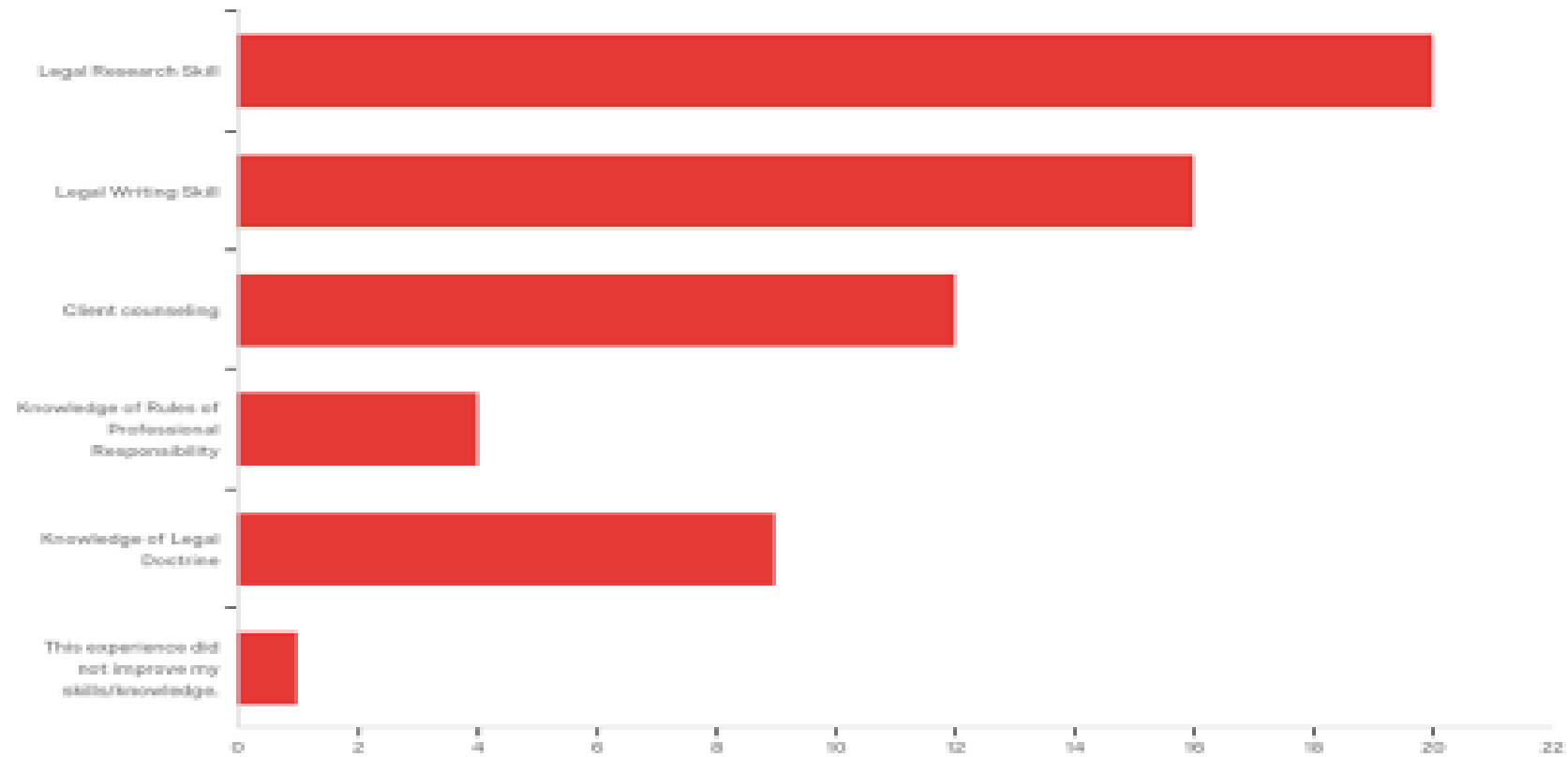
#	Field	Minimum	Maximum	Mean	Std Deviation	Variance	Count
1	As you consider the legal education you have obtained at IU McKinney and prepare to practice law, which one of the skills mentioned in this survey do you feel that the curriculum did not adequately address?	1.00	8.00	4.67	2.03	4.13	67

#	Field	Choice Count
1	Writing clearly and using proper rules for citation and grammar.	7.46% 5
2	Knowing when and how to make policy arguments.	14.93% 10
3	Effective organization of legal writing.	5.97% 4
4	Ability to select and use proper legal authority.	2.99% 2
5	Choosing the best strategy for my client and convincing my client to agree to using that strategy.	44.78% 30
6	The ability to identify legally relevant facts as well as missing facts.	1.49% 1
7	Understanding how statutory, constitutional, and common law interact.	11.94% 8
8	The ability to synthesize legal rules.	10.45% 7
9	The ability to identify the key legal issues.	0.00% 0
		67

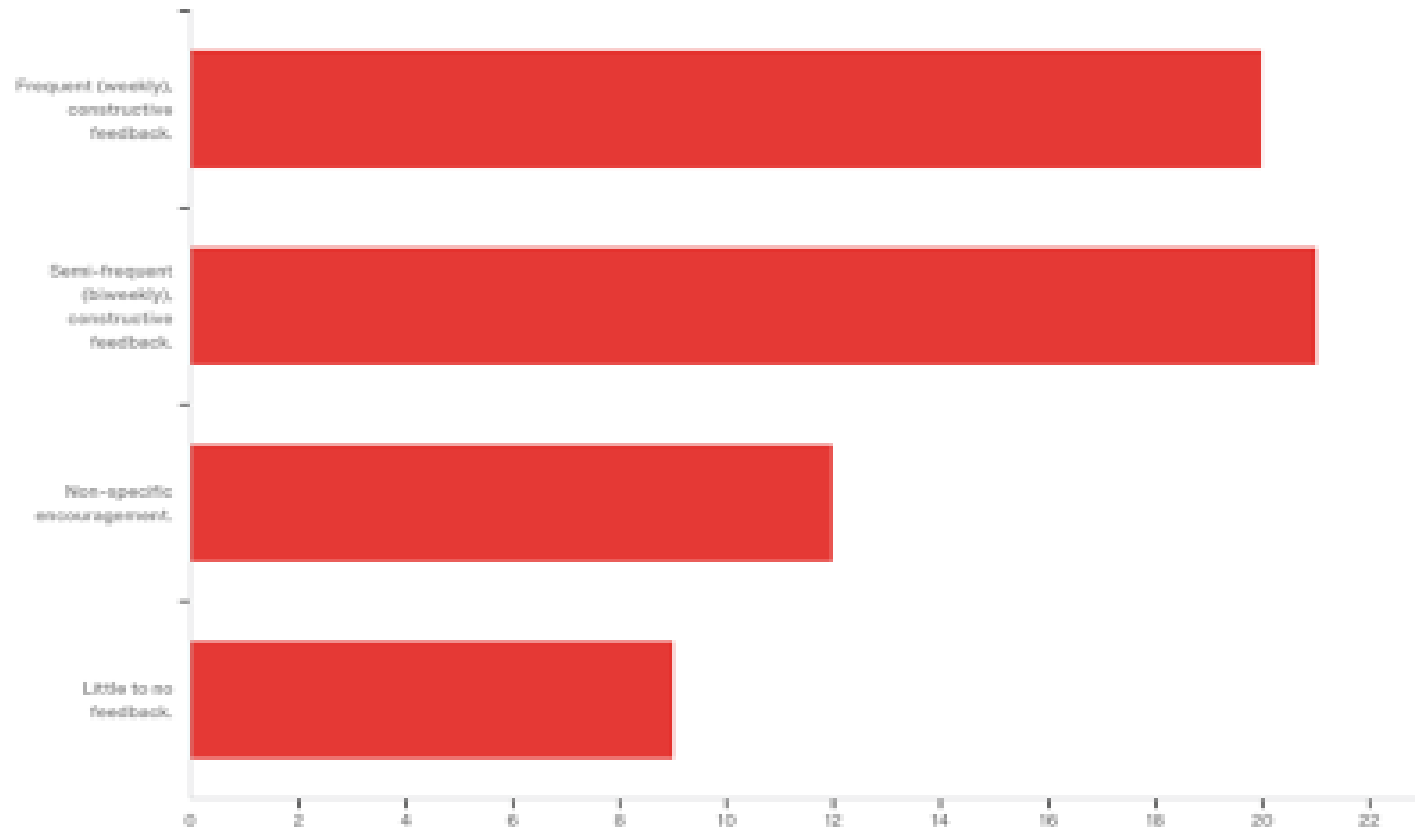
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End of Report

Q16 - Which of the following skills MOST IMPROVED as a result of your externship experience?

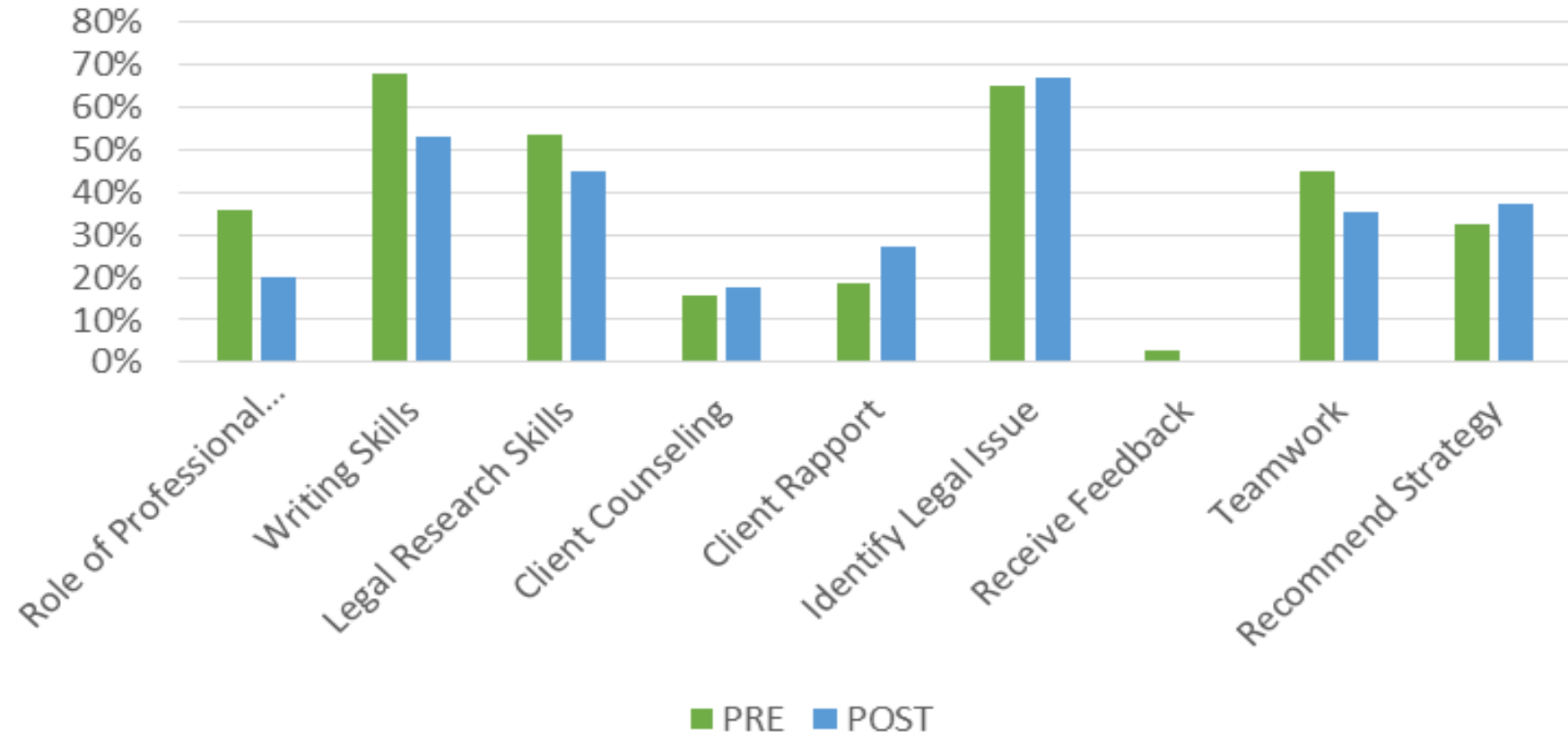


Q18 - What level of feedback did you receive at your place of employment?



D. Summer Externship Survey Results

Intermediate Competency Level



Increase in High End Competency Post-Externship

