



RESEARCH BRIEF:

Show Them the Money:

Improving Consumer Information on Need-
and Merit-Based Gift Aid to Equitably
Empower Prospective Law Students



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INTRO

Historically, Black and Hispanic or Latino/a/x (Latine) applicants have been admitted to law school at disproportionately lower rates than White and Asian applicants. While there is no shortage of law school applicants from all racial/ethnic backgrounds,¹ Black and Hispanic or Latine applicants are less likely to gain admission to any law school and, when admitted, are less likely to obtain financial aid in the form of grants and scholarships (gift aid).² As a result, these students tend to finance more of their legal education with student loans and graduate with higher debt balances compared to White and Asian law school students.³

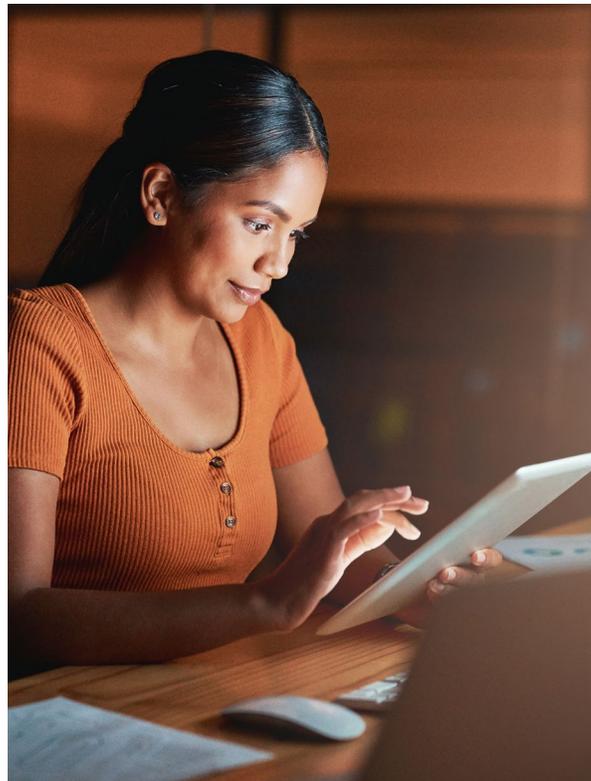




It is no secret that underrepresented students have carried a larger share of the load when it comes to out-of-pocket law school expenses. Law school admission and merit-based gift aid which defrays the high (and rising) cost of attendance rely heavily on academic indicators such as the LSAT and UGPA – indicators that tend to correlate with socioeconomic status (SES).⁴ Overreliance on academic indicators for awarding institutional gift aid results in applicants from low SES and historically underrepresented racial backgrounds being less likely to receive merit-based gift aid awards.⁵ Compounding the issue is the predominance and prioritization of academic indicators of merit over financial need in the distribution of institutional gift aid to incoming law students.

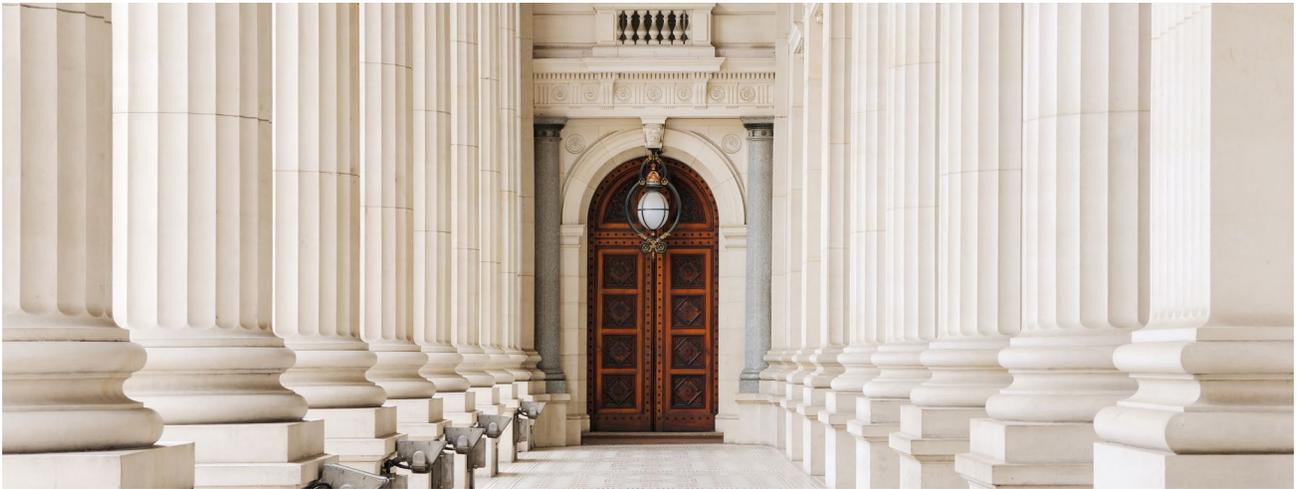
There is a strong need to consider accessibility to institutional gift aid generally, and particularly for students from underrepresented racial and socioeconomic backgrounds. Addressing the lack of diversity within the legal profession requires a deep dive into each component of the pipeline to practice with the goal of improving how the entire institution equitably serves talented and motivated aspiring lawyers from all backgrounds. Specifically, law schools might consider how their communications about institutional aid may impact a student's likelihood of receiving gift aid and, more broadly, their ability to make informed financial decisions about attending law school.

The importance of access to information regarding the cost of legal education and law school financing options cannot be understated. Recent research has demonstrated the need for better information and education in these domains: a 2020 American Bar Association (ABA) survey found that roughly 30% of young lawyers would have chosen a different law school given what they now know about the legal profession and the impact of student loan debt. When asked what they would change about their law school choice, a majority indicated they would have chosen a school that offered a more generous scholarship or lower tuition.



Given the potential to narrow information gaps for prospective law students, this brief aims to examine the availability and substance of institutional gift aid information provided on law school websites⁶ to better understand the landscape of merit- and need-based gift aid opportunities in legal education. In the current digital age, law school websites are essential platforms for informing aspiring law students of gift aid options, eligibility requirements, and application procedures. Accordingly, this study undertook a content analysis of websites associated with 194⁷ ABA-accredited law schools in the United States for the purpose of exploring two questions:

1. To what extent do law schools provide public and accessible information regarding gift aid for prospective students?
2. To what extent does the availability and specificity of information about gift aid vary between need- and merit-based gift aid opportunities?



Most notably, we find:

- While nearly all law schools offered information about gift aid on their websites, the content and level of detail varied widely across institutions.
- Law school websites tended to provide more information related to merit-based gift aid compared to need-based gift aid.
- Most law school websites do not specify the duration of gift aid awards, making it difficult for prospective students to estimate the net price of J.D. attainment.
- Despite the availability of third-party resources, many law schools do not provide information about past award disbursement or the availability of external grants and scholarships.

This brief describes these findings in greater detail and concludes with recommendations for improvement.

METHODOLOGY

The findings in this brief are based upon data collected from law school websites in October and November of 2021. The research team documented information on the accessibility and specificity of information on available gift aid (see Table 1). The research team was particularly interested in differences in communications related to merit-based and need-based gift aid opportunities. Most data emerged from information directly on admissions or financial aid webpages within law school or their affiliated university websites.⁸ In cases where gift aid information was not found among the admission or financial aid webpages, the research team conducted a search within the law school website using keywords such as “law school scholarships” or “law school financial aid” to locate related details.

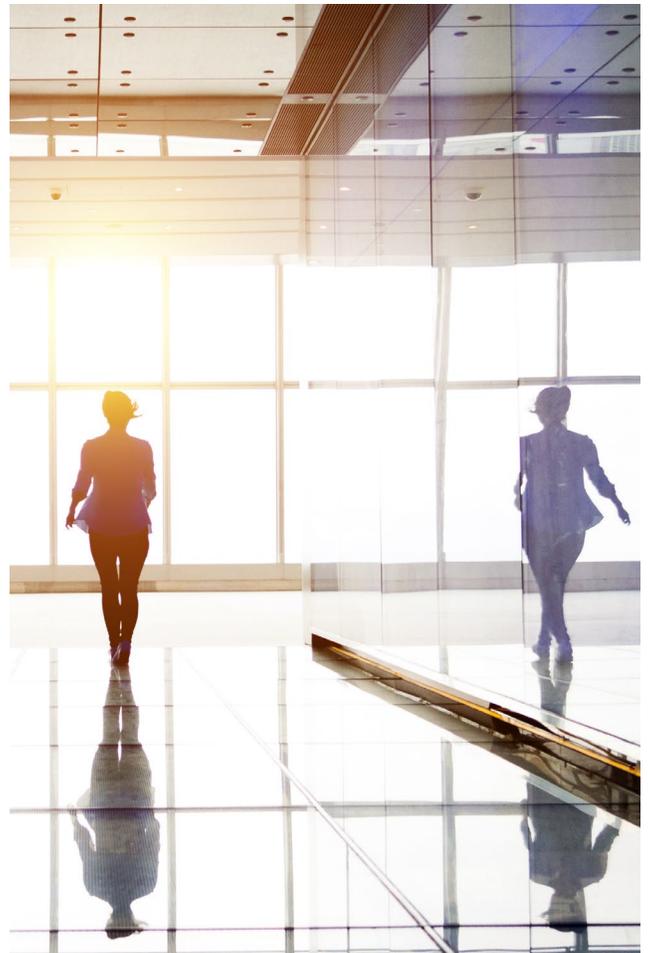


Table 1. Elements Sought in Web Content Analysis

CONTENT ELEMENT	DESCRIPTION
Accessible website	Information about institutional or external gift aid is available and accessible.
Type of gift aid: Need, Merit, Hybrid	Details regarding the availability of gift aid are described by type.
Separate application requirement and	Scholarship application procedures and deadlines are clearly described.
Need-based gift aid eligibility	Eligibility criteria or considerations for awarding need-based gift aid are described.
Merit-based gift aid eligibility	Eligibility criteria or considerations for awarding merit-based gift aid are described.
Duration of need-based gift aid	The website specifies the years for which need-based gift aid are available once awarded.
Duration of merit-based gift aid	The website specifies the years for which merit-based gift aid are available once awarded.
Past award information	Information about past gift aid disbursement, irrespective of type, is provided in conjunction with information on prospective award availability.
Generosity of need-based gift aid	Information regarding the typical amount of need-based gift aid awarded (expressed as a single figure, range, or percentage of tuition) is provided.
Generosity of merit-based gift aid	Information regarding the typical amount of merit-based gift aid awarded (expressed as a single figure, range, or percentage of tuition) is provided.
External gift aid resource	Information or guidance regarding the availability of external scholarships is provided.

This content analysis resulted in extensive data on the availability of institutional gift aid information, the level of detail provided, distinctions between need-based and merit-based gift aid opportunities, and application

procedures. This brief provides a summary of key findings and related recommendations for law schools to consider when serving prospective law students via their institutional website.

KEY FINDINGS

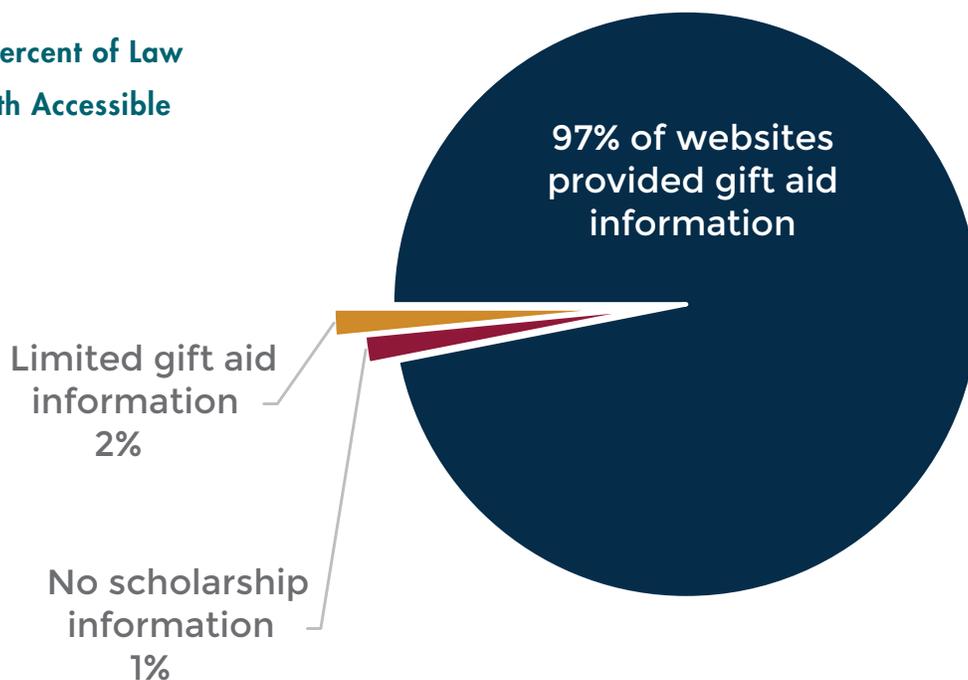


Nearly all law school websites provided some level of information about institutional gift aid.

Our review revealed that most law schools (188 out of 194) had an accessible website that included detailed information on institutional gift aid; however, there were six ABA-accredited law schools that did not provide scholarship information on their website. Specifically, three law school websites did not include content regarding the availability of institutional gift aid, and the remaining three had very limited information about available institutional gift aid. For example, one law school's webpage stated that "all students are considered for scholarships during the admissions process." The webpage did not communicate any other information regarding scholarship type, eligibility criteria, or other details such as the amount and duration of gift aid.



Figure 1. Percent of Law Schools with Accessible



Among the remaining law schools that provided more detailed information on gift aid, content mainly specified the availability of institutional gift aid, the type (e.g., need-

based, merit-based, hybrid-based) of gift aid offered, eligibility information, and application instructions.

Compared to need-based gift aid, information on merit-based gift aid opportunities was much more prevalent among law school websites.

Roughly 90% (180) of all law school websites shared information about merit-based institutional gift aid. However, nearly half did not include content related to need-based gift aid, revealing a significant information gap for prospective law students. This omission is

particularly troubling considering that students from historically underrepresented racial and socioeconomic backgrounds are less likely to meet merit-based gift aid requirements but more likely to qualify for need-based gift aid requirements when such aid is available.⁹

Figure 2. Percent of Law School Websites Providing Institutional Aid Information by Gift Aid Type



Of the law school websites specifying the availability of need-based gift aid (106), 74 (79%) indicated the law school provides this opportunity. The remainder explicitly stated that the law school does not provide need-based gift aid. Among websites with merit-based gift aid content (180), only two indicated they did not offer this type of opportunity.

Our content analysis also noted schools offering hybrid gift aid —those that simultaneously consider both need and merit when awarding institutional grants and scholarships. Roughly one-third of law school websites mentioned hybrid gift aid opportunities and, of those, just over half offered this form of aid.

Figure 3. Percent of Law School Websites Offering Institutional Gift Aid Information by Type and Availability



While most law school websites explained how to apply or be considered for institutional gift aid, some lacked clear information on application procedures.

As noted above, some law schools automatically consider applicants for institutional gift aid without requiring a separate financial aid application. Of the law schools providing

institutional gift aid content on their websites, roughly 82% (154) indicated whether a separate application was required for consideration while 18% (33) did not.

Figure 4. Percent of Law School Websites Providing Institutional Gift Aid Information that Include Clear Instructions on Separate Applications for Scholarships



Of the 154 law school websites that specified how to be considered for institutional gift aid, 30 (19%) indicated the law school required a separate application. The remainder did not require a separate application. Just four of the law schools requiring separate applications indicated they were due at the time of the application for admission. All others were due either before (6) or after (15) the admission application deadline. The remaining five did not specify when the application was due.

Our content analysis also examined the landscape of need-based gift aid consideration practices. Of the law schools with websites indicating the availability of need-based gift aid (74), 39% (29) did not specify how need is determined or how to apply. This reveals another information gap that disproportionately affects prospective law students from historically underrepresented racial and socioeconomic backgrounds.

Figure 5. Percent of Law Schools Offering Need-Based Gift Aid with Websites Specifying Consideration and Application Practices



Of the 45 law schools that provided information on need-based gift aid application requirements, 31 required applicants to complete the FAFSA, and 14 required applicants to submit the FAFSA

along with a separate form or essay about their financial situation.¹⁰ Schools requiring additional information typically provided the supplemental form on their webpage.

Eligibility requirements for institutional gift aid often lacked substance; few law schools offered sufficient detail on merit-based gift aid eligibility, and none provided details regarding need-based gift aid determinations.

In addition to having access to information about the availability of institutional gift aid and related application processes, it is important for prospective students to have a clear understanding of their eligibility for gift aid. Without clear information on eligibility, prospective students are unable to set reasonable expectations for their likelihood of receiving gift aid and may fail to provide sufficient information in their admission applications or other materials to bolster their chances of receiving an institutional aid award.

Among the 178 law schools that provided merit-based gift aid, 87 (49%) had websites describing merit aid eligibility requirements. As shown in Table 2, our analysis found most law schools relied on indicators of academic achievement to award merit-based gift aid, though descriptions of these requirements varied in specificity. Forty-one websites described specific academic indicators, such as the LSAT and undergraduate GPA (UGPA), used to determine eligibility. Thirty-one websites referred to academic achievement or performance, or “academic promise,” without providing further detail about how these characteristics are assessed.



Table 2. Description and Frequency of Factors Considered to Determine Merit Eligibility

CATEGORIES OF MERIT AID CONSIDERATIONS	DESCRIPTION	COUNT
Non-academic, vague	Attributes other than LSAT and grades are considered but not specified (e.g., “other considerations” “other attributes”)	9
Non-academic, specific	Attributes other than LSAT score and grades are considered and specified, such as personal history, career interests, work experience, or “mission fit”	16
Academic achievement, vague	Academic attributes are considered but not specified (e.g., “academic promise” or “outstanding record”)	31
Academic achievement, specific with benchmark	Academic attributes are considered and specified with detailed benchmarks (e.g., minimum LSAT score and UGPA)	18
Academic achievement, specific without benchmark	Academic attributes are considered and only indicators are specified (e.g., LSAT score and UGPA)	41
Total Schools with Merit Aid Eligibility Descriptions		87

Just 18 websites provided specific information on academic eligibility for merit aid. For instance, one law school website noted, “students who demonstrate academic credentials (i.e., LSAT and UGPA) in the 65th to 90th percentiles of the admitted candidate pool” would be considered for merit-based gift aid. Sixteen websites described merit aid eligibility in terms of specific non-academic indicators, such as an individual’s record of community service, leadership, or demonstration of resiliency and perseverance. These descriptions also included work experiences, family background, and demonstrated interest

in a particular field of law. All but two of those 16 law school websites included these non-academic descriptions of merit alongside academic-based indicators of merit.

Of the websites reviewed for this report, none specified eligibility criteria for need-based gift aid. As noted previously, law schools generally use the FAFSA or other documentation to gather information about students’ financial needs and determine eligibility; however, it is unclear how this information is used to award need-based gift aid.

The longevity and conditionality of scholarships was generally not communicated for merit-based or need-based gift aid.

With most law school websites targeting gift aid information to prospective first-year students, providing details about the longevity of gift aid is critical for helping applicants estimate their expenses for the duration of their law school enrollment. However, only 40% of law school websites specify the duration of an institutional grant or scholarship once awarded. Additionally,

only 35% of law schools offering merit-based gift aid specified the conditionality of the award. Of the 59 law school websites that provided these details, roughly half indicated that merit-based gift aid awards were conditional.¹¹ Among schools offering need-based gift aid, 68% did not provide information about the duration of the award or terms of renewal beyond the first year.

Law schools generally did not provide information related to past gift aid distributions.

Providing information on past award disbursement is critical for setting expectations about the likelihood of receiving institutional gift aid and can help prospective law students better estimate the net price of tuition (published tuition less the scholarship amount received) at a given law school. As some law school websites noted, past awards are an indicator of potential award distributions for incoming students. This sort of transparency demonstrates a student-

centered approach to communication and helps prospective law students understand the scope of aid disbursement.

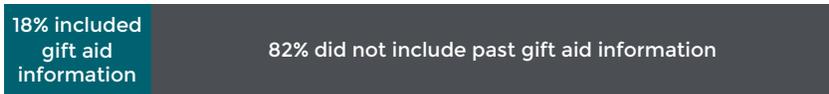
Nonetheless, just 18% of law school websites provided information related to past scholarship award distribution. As part of mandatory reporting to the ABA, all accredited law schools are required to report information about institutional grants and scholarships awarded each year.





Specifically, they are required to report the total number of students that received gift aid in the prior aid year, the percentile award amounts, the distribution of award amounts relative to tuition, as well as the number of conditional scholarships awarded and eliminated. Despite the availability of this information on law schools' ABA Standard 509 Information reports, our content analysis found that many law schools do not provide this information in parallel with institutional aid information on their websites. Placing this information on the institutional aid webpages or providing a direct link to the Standard 509 reports could help students better understand the landscape of award disbursement at a specific institution.

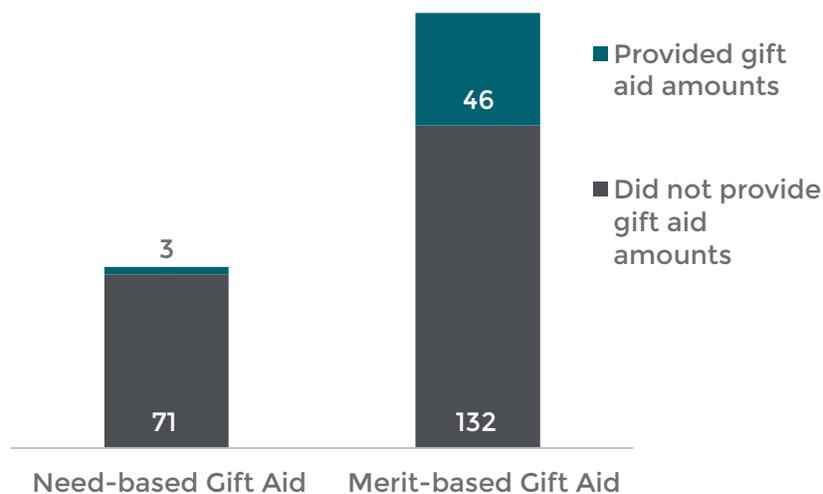
Figure 6. Percent of Law School Websites that Included Information on Past Gift Aid



Although few law schools offered information about past gift aid disbursement, slightly more provided general information about the amounts students typically receive. Just over a quarter of law school websites included details about the generosity of their merit-based gift aid (Figure 7). Some law schools communicated these details by providing the range of an award for an academic year (e.g., \$5,000 to full tuition), while others provided the percentage of tuition covered (e.g., up to 80%) or average or median award amounts (e.g., \$13,000 on average).

Publication of need-based gift aid estimates were much rarer; of the 74 law schools with websites indicating a need-based gift aid opportunity, only three provided information on the generosity of need-based awards: two schools provided a range or amount, and one stated the award amount as a percentage of tuition. Since ABA reports do not distinguish between need-based and merit-based gift aid award types, law schools offering this information extend excellent service to prospective students with higher levels of financial need.

Figure 7. Number of Law School Websites that Provide Information on the Amount of Each Type of Grant Aid

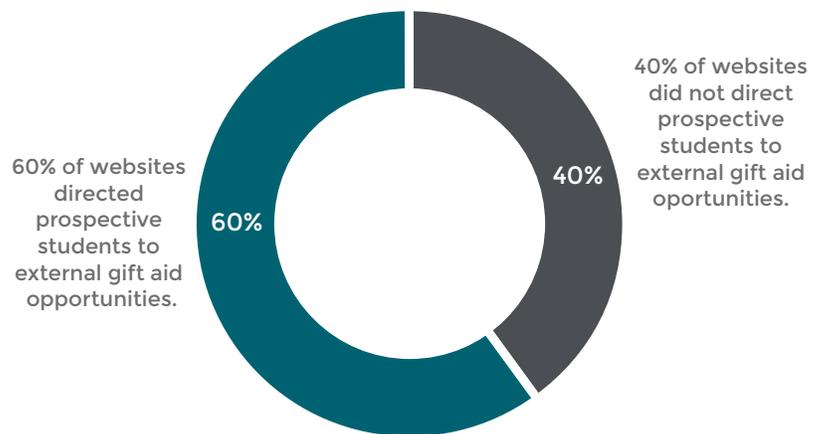


Although a majority of law schools offered information regarding external scholarship options, 40 percent did not provide these resources.

While all law school websites provided contact information for a specific person or office students could consult regarding institutional gift aid and other financial aid options, just 60% referred students to external scholarship opportunities. These resources often included the AccessLex Law School Scholarship Databank, Fastweb.com, and Finaid.org. Some law schools also provided specific details for external scholarship opportunities, such as application and eligibility requirements. Of the six law schools excluded from our content due to insufficient institutional aid information, two provided links to external gift aid resources.

Providing information about external scholarship opportunities can help educate prospective law students on the full array of gift aid opportunities available to them. Applicants considering law schools with limited or no institutional aid opportunities stand to benefit most from having access to this information from the law schools' websites. However, our analysis revealed that schools distributing

Figure 8. Percent of Websites that Refer to External Gift Aid Opportunities



relatively less gift aid are no more likely to provide this information than schools where most students receive gift aid. Considering the relative ease of providing links to external scholarship resources on law school websites, this is a simple improvement applicable law schools could make to support prospective and current law students in obtaining valuable financial support for their legal education.



DISCUSSION AND RECOMMENDATIONS

Overall, our analysis finds most law schools provide some degree of information about the availability of institutional gift aid for their students, particularly merit-based gift aid. However, the quality of information varies widely and is generally less thorough for need-based gift aid compared to merit-based gift aid. Almost all law school websites contained some level of detail regarding merit-based gift aid but only half provided information related to need-based gift aid. While this finding is likely a reflection of the limited availability of need-

based institutional gift aid in legal education generally,¹² it demonstrates an opportunity for law schools to approach their admission and financial webpage content from a more equitable viewpoint, even when institutional aid opportunities are scarce. For example, simply stating that need-based gift aid is not available can help prospective applicants, particularly those from socioeconomically disadvantaged backgrounds, better understand the landscape of need-based gift aid for those pursuing a law degree.





Such opportunities for improving the substance of information on institutional gift aid are abundant. Our review of law school websites revealed several areas where law schools can enhance support for prospective students by distributing transparent, clear, and thoughtful detail regarding institutional and external gift aid opportunities. These improvements to law school websites would serve to benefit all law students but would potentially provide the greatest advantage students from historically underrepresented racial, ethnic, and socioeconomic backgrounds. Equitable distribution of gift aid is contingent upon all law applicants understanding how to qualify and apply so they can best position themselves to receive grants and scholarships. To that end, we offer the following recommendations:

Make use of existing resources to enhance gift aid content on law school websites.

Law school admission, student affairs and financial aid professionals have busy schedules and limited time for attending to webpage content. With other priorities and demands for their time, developing and updating this information in a timely manner may prove difficult. Fortunately, there are readily available resources that law schools can leverage to improve information flow to students without unduly burdening administrators. As suggested in our findings, the ABA Standard 509 reports provide consistent detail regarding the percentages of students receiving institutional gift aid as well as the amounts distributed. Further, these reports provide information regarding the number of conditional scholarships awarded and eliminated. These baseline figures could be linked or copied on any webpage describing the availability of institutional aid at every law school.



Further, our analysis finds that some law schools do not link to external scholarship opportunities. However, there are several resources, including AccessLex Institute's own Law School Scholarship Databank, that prospective and current law students can leverage to seek and apply for additional aid. These are low effort and low stakes ways to better educate prospective students on the availability of institutional or external gift aid opportunities.

Develop and implement communication standards for gift aid information published on law school websites.

Our content analysis revealed varying levels of specificity in the institutional gift aid information provided on law school websites. These inconsistencies are not helpful to prospective students and could be remedied with adoption of industry-wide standards for providing details on the availability of gift aid. Although the ABA Standard 509 reports provide information on awarded institutional gift aid, this information is not sufficient for describing eligibility and application requirements. The content elements reviewed for this report could serve as a starting point for law school financial aid professionals to evaluate their webpages and determine how best to fill any information gaps found. At minimum, law school websites should specify: 1) the types of gift aid available; 2) who is eligible; 3) the scope of aid disbursement; and, 4) how and when to apply.

Expand ABA Standard 509 reporting to include scholarship disbursement by aid type, LSAT score, and race/ethnicity.

ABA Standard 509 is designed with prospective law students in mind, serving to maximize consumer information that is consistently and annually reported among all ABA-accredited law schools. However, the gift aid data presented in these reports is insufficient for educating prospective law students on their likelihood of receiving gift aid or the amount they could expect if awarded a grant or scholarship. Disaggregating the information currently provided in these reports would enhance consumer disclosures and enable students to better estimate their actual out-of-pocket expenses for attending law school.

This information could also improve longer term outcomes for law graduates. As noted earlier, most young lawyers who regret their choice of law school would have chosen a

more affordable institution.¹³ Additionally, only 37% of young lawyers agreed they had a clear understanding of the cost and debt associated with law school when they first enrolled; half (51%) disagreed. Considering the negative outcomes associated with high levels of law school debt, the ABA should consider releasing more robust information about the distribution of aid. An ABA committee recently recommended that the Section of Legal Education and Admissions to the Bar Council collect data on the number of students who receive loans as well as those that receive scholarships and grants by race, ethnicity, and gender.¹⁴ This recommendation should go further, specifying the amounts and percentages of grants and scholarships awarded based on need and/or merit and disaggregating these values by LSAT score in addition to student demographics. This would enable students to better apply the data to their own circumstances to understand their prospects for receiving institutional aid and the amount they would likely receive.

Improve information regarding the availability of need-based gift aid, specifically, and requirements for consideration.



In reviewing the 194 school websites analyzed for this report, we found 74 law schools offering need-based gift aid. While awarding need-based gift aid is one of the best ways to broaden access and increase equity in legal education, improving information about the availability of need-based gift aid is a service all law schools can extend to benefit students from socioeconomically disadvantaged backgrounds. As suggested above, law schools that cannot offer need-based gift aid should disclose this information on their websites. Further, they should provide information about external need-based scholarship opportunities, if available.

Law schools providing need-based gift aid are also well-positioned to improve the information they provide. Of the 74 law schools offering need-based gift aid, 61% provide details on the documentation students must provide to be considered for an award. However, the remaining 39% do not provide these details. Although need-blind admission practices or other limitations may prevent law schools from explicitly detailing how need-based gift aid awards are determined, specifying the documentation required for students to be considered for need-based awards should be a universal practice.

Further, broader disclosure of typical need-based gift aid amounts is an area ripe for improvement. Only 3 (4%) of the 74 law schools offering need-based gift aid awards provide such detail compared to 25% of law schools offering merit-based gift aid. This puts a finer point on the need to examine law school financial aid practices, for both award and information dissemination, to ensure equitable service to all prospective law students, irrespective of their socioeconomic status.





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- 1 For enrollment year 2022, 1.9% of applicants were American Indian or Alaska Native, Canadian Aboriginal/Indigenous, or Native Hawaiian or Other Pacific Islander; 11.4% were Asian; 8.8% were Black or African American; 52.6% were White; and 11% were Hispanic or Latine. LAW SCH. ADMISSION COUNCIL, YTD US APPLICANTS FROM REGION/STATE OF PERMANENT RESIDENCE (2021), <https://report.ljac.org/VolumeSummary.aspx>.
 - 2 AARON N. TAYLOR & CHAD CHRISTENSEN, LAW SCH. SURV. STUDENT ENGAGEMENT, LAW SCHOOL SCHOLARSHIP POLICIES: ENGINES OF INEQUITY 9 (2016), <https://lssse.indiana.edu/wp-content/uploads/2016/01/LSSSE-2016-Annual-Report.pdf>.
 - 3 Aaron N. Taylor, *Robin Hood, In Reverse: How Law School Scholarships Compound Inequality*, 47 J.L. & EDUC. 41, 77 (2018) [hereinafter Taylor, *Robin Hood*]; Aaron N. Taylor, *The Marginalization of Black Aspiring Lawyers*, 13 FIU L. REV. 489, 507 (2019); AM. BAR ASS'N YOUNG LAWS. DIV. & ACCESSLEX INST., STUDENT DEBT: THE HOLISTIC IMPACT ON TODAY'S YOUNG LAWYER 4 (2021), <https://www.accesslex.org/research-and-data-tools-and-resources/student-debt-holistic-impact-todays-young-lawyer>.
 - 4 See Marjorie M. Shultz & Sheldon Zedeck, *Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admission Decisions*, 36 LAW & SOC. INQUIRY 620, 621 (2011).
 - 5 TAYLOR & CHRISTENSEN, *supra* note 2, at 9.
 - 6 Where applicable, financial aid websites and webpages of the main university were also analyzed.
 - 7 Law schools in Puerto Rico were not included in analysis. An additional three law schools were excluded because they are not currently accredited by the American Bar Association: Thomas Jefferson School of Law, University of La Verne, and Florida Coastal School of Law.
 - 8 This report refers to information on both law school websites or main university websites about the law school as “law school websites” for simplicity.
 - 9 TAYLOR & CHRISTENSEN, *supra* note 2, at 9–10.
 - 10 The argument against the use of only the FASFA in determinations of financial need is robust but beyond the scope of this report. See generally Mary Feeney & John Heroff, *Barriers to Need-Based Financial Aid: Predictors of Timely FAFSA Completion Among Low-Income Students*, 43 J. STUDENT FIN. AID 65 (2013); SARA GOLDRICK-RAB, *PAYING THE PRICE: COLLEGE COSTS, FINANCIAL AID, AND THE BETRAYAL OF THE AMERICAN DREAM* (2016).
 - 11 Among those that stated their merit-based gift awards were conditional, most required maintaining a minimum GPA or class rank. A few law schools only offered vague descriptions of the conditions for maintaining a merit-based grant or scholarship (e.g., “superior academic performance”).
 - 12 See Taylor, *Robin Hood*, *supra* note 3, at 58; TAYLOR & CHRISTENSEN, *supra* note 2, at 8.
 - 13 AM. BAR ASS'N YOUNG LAWS. DIV. & ACCESSLEX INST., *supra* note 3, at 27–28.
 - 14 Memorandum from the Questionnaire and Template Comm. to Am. Bar Ass'n Council of the Section of Legal Educ. and Admissions to the Bar 1–2 (Aug. 19, 2021), https://qa.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/council_reports_and_resolutions/aug21/21-aug-aq-memo-to-council.pdf.



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