

### THE ISSUE

Law schools are held accountable on many fronts to achieve and maintain high bar passage rates. ABA Standard 316 is likely the strongest accountability measure. While the course of legal education itself, along with academic and bar success interventions, is a key driver of bar exam performance, Bahadur et al. suggests that other, obscure institutional practices can serve to inflate institutional bar passage performance. Such practices could include recruitment and admission of transfer students and academic attrition. We examine this hypothesis to assess the influence of both attrition and transfer on law schools' bar passage rates.

### KEY FINDINGS



When attrition and transfer rates increase, bar passage rates tend to remain constant or decrease.



Transfers and dismissals generally have little effect on a school's pass differential.

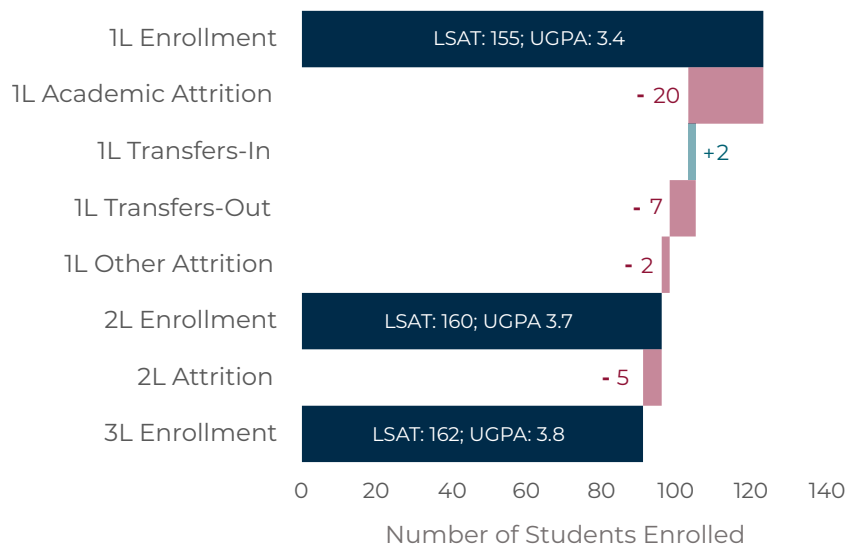


Schools with lower *U.S. News* rankings tend to lose more students to transfer. Schools with the highest rankings have lower transfer-out rates.



When a higher-ranked school is geographically close to lower-ranked schools, the higher-ranked school is more likely to receive transfers and less likely to shed them.

As a Result of Attrition (red bars) and Transfer (green bars), the Median LSAT and UGPA of a Cohort Can Change Substantially



### IN THEORY, ATTRITION AND TRANSFER HAVE IMPLICATIONS FOR CLASS COMPOSITION AND BAR PASSAGE

Higher attrition and transfer-in rates have the potential to change the composition of a law school class — by dismissing lower performing students and matriculating higher performing students after they have completed their 1L year elsewhere — thereby increasing a cohort's average LSAT score and UGPA. Given the small positive effect that LSAT score and UGPA have on bar passage, it is possible that altering the composition of the cohort could improve a school's bar passage rate.

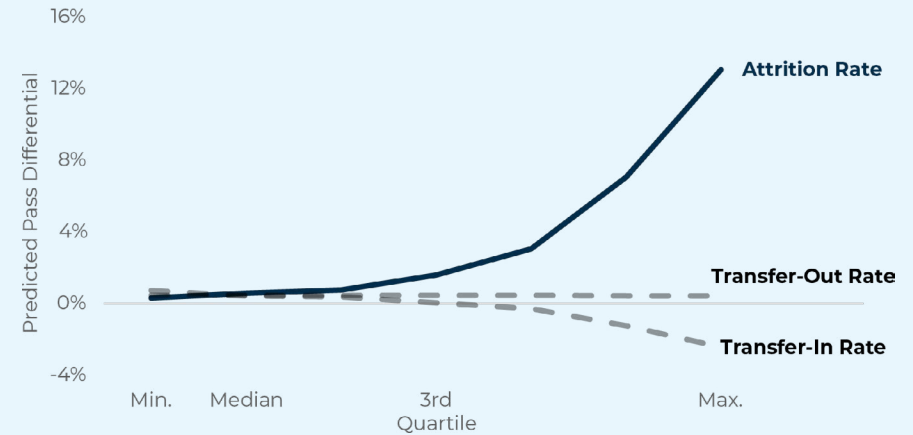
While this suggests that schools could use aggressive academic attrition policies and recruitment tactics to remove underperforming students and replace them with high-performing students from nearby institutions to improve law school bar exam performance, it is more likely that law schools resort to academic dismissal only after making serious attempts at intervention and remediation.

### HOW DO ATTRITION AND TRANSFER AFFECT BAR PASSAGE?

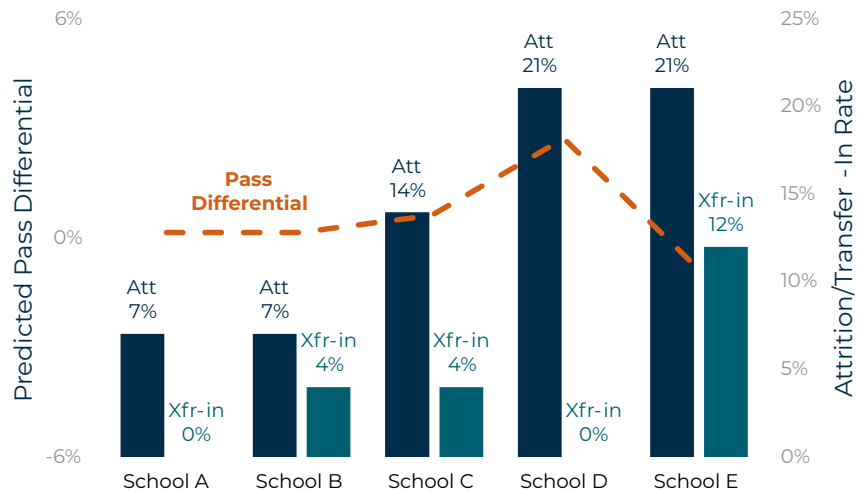
Some amount of **attrition** and **transfer** is normal in law school. **But to what extent does it influence bar passage?** To investigate this question, we use attrition and transfer to predict first-time **bar passage differential**, which measures the degree to which a law school's first-time bar passage rate exceeds or falls short of the first-time bar passage rate in the jurisdictions where its graduates took the bar exam.

Attrition and transfer have statistically significant but modest relationships with pass differential. Changes to a school's attrition and transfer rates alone do not appear to have *practically* meaningful effects on pass differential. The relationships become more dramatic with more extreme (and uncommon) attrition and transfer values.

At most schools: A School's Pass Differential is Affected Only by Large Swings in Attrition; it is Largely Unaffected by Changes to its Transfer-In or Transfer-Out Rates



Attrition Helps Pass Differential When Transfer-In Rate Is Low



### THE COMBINED EFFECT OF ATTRITION AND TRANSFERS-IN

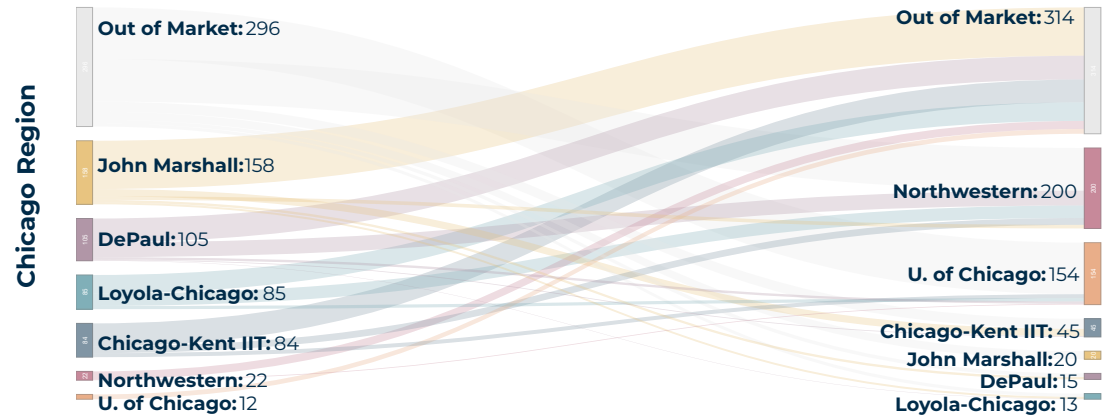
Attrition is generally associated with a higher pass differential. However, when the two interact, attrition magnifies the negative effect of changes to the transfer-in rate on pass differential.

Therefore, according to our analysis, **it is unlikely that schools with higher attrition rates replace dismissed students with transfer students in a way that improves their institutional bar passage rates.** Instead, we find that the combination of high attrition and transfer-in rates is actually associated with lower bar passage rates.

### ATTRITION AND TRANSFER-IN RATES MAY DIFFER IN HIGH-VOLUME TRANSFER MARKETS

While *attrition* often occurs because of poor academic performance, student *transfers* are often associated with a student's desire to move "up" to a more prestigious law school.

Where multiple schools of varying prestige coexist in close geographic proximity (transfer markets), **more transfers occur from the lower-ranked schools to the higher-ranked schools.**



#### THE EFFECTS OF ATTRITION AND TRANSFER-IN RATES DO NOT VARY BY WHETHER A SCHOOL IS GEOGRAPHICALLY NEAR OTHER LAW SCHOOLS WITH HIGHER/LOWER U.S. NEWS RANKINGS

Although higher-ranked schools have higher baseline pass differentials (they cross the y-axis at a higher point) and are more likely than nearby lower-ranked schools to **receive transfers** and **retain students** they admit, this does not alter the effect of **attrition** and **transfer** on bar passage. (If it did, the steepness of the the blue, yellow, and teal lines for each figure below would be markedly different.)

