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Dean Gerken: Why Yale Law School Is Leaving the U.S. News & World Report Rankings



Yale Law School Dean Heather K. Gerken has issued the following statement on *U.S. News & World Report* rankings:

For three decades, *U.S. News & World Report*, a for-profit magazine, has ranked the educational quality of law schools across the country. Since the very beginning, Yale Law School has taken the top spot every year. Yet, that distinction is not one that we advertise or use as a lodestar to chart our course. In fact, in recent years, we have invested significant energy and capital in important initiatives that make our law school a better place but perversely work to lower our scores. That's because the *U.S. News* rankings are profoundly flawed — they disincentivize programs that support public interest careers, champion need-based aid, and welcome working-class students into the profession. We have reached a point where the rankings process is undermining the core commitments of the legal profession. As a result, we will no longer participate.

It's entirely understandable that many schools feel compelled to adhere to a commercial magazine's preferences, as the rankings are taken seriously by applicants, employers, and alumni. But rankings are useful only when they follow sound methodology and confine their metrics to what the data can reasonably capture — factors I've described in my own research on election administration. Over the years, however, *U.S. News* has refused to meet those conditions despite repeated calls from law school deans to change. Instead, the magazine continues to take data — much of it supplied by the law schools solely to *U.S. News* — and applies a misguided formula that discourages law schools from doing what is best for legal education. While I sincerely believe that *U.S. News* operates with the best of intentions, it faces a nearly impossible task, ranking 192 law schools with a small set of one-size-fits-all metrics that cannot provide an accurate picture of such varied institutions. Its approach not only fails to advance the legal profession, but stands squarely in the way of progress.

One of the most troubling aspects of the *U.S. News* rankings is that it discourages law schools from providing critical support for students seeking public interest careers and devalues graduates pursuing advanced degrees. Because service is a touchstone of our profession, Yale Law School is proud to award many more public interest fellowships per student than any of our peers. These fellowships have enabled some of our finest students to serve their communities and the nation on our dime. Even though our fellowships are highly selective and pay comparable salaries to outside fellowships, *U.S. News* appears to discount these invaluable opportunities to such an extent that these graduates are effectively classified as unemployed. When it comes to brilliant students training themselves for a scholarly life or a wide-ranging career by pursuing coveted Ph.D. and master's degrees, *U.S. News* does the same. Both of these tracks are a venerable tradition at Yale Law School, and these career choices should be valued and encouraged throughout legal education.

In addition, the rankings exclude a crucial form of support for public interest careers — loan forgiveness programs — when calculating student debt loads. Loan forgiveness programs matter enormously to students interested in service, as they partially or entirely forgive the debts of students taking low-paying public interest jobs. But the rankings exclude them when calculating debt even though they can entirely erase a student's loans. In short, when law schools devote resources to encouraging students to pursue public interest careers, *U.S. News* mischaracterizes them as low-employment schools with high debt loads. That backward approach discourages law schools throughout the country from supporting students who dream of a service career.

The *U.S. News* rankings also discourage law schools from admitting and providing aid to students with enormous promise who may come from modest means. Today, 20% of a law school's overall ranking is median LSAT/GRE scores and GPAs. While academic scores are an important tool, they don't always capture the full measure of an applicant. This heavily weighted metric imposes tremendous pressure on schools to overlook promising students, especially those who cannot afford expensive test preparation courses. It also pushes schools to use financial aid to recruit high-scoring students. As a result, millions of dollars of scholarship money now go to students with the highest scores, not the greatest need. At a moment when concerns about economic equity stand at the center of our national dialogue, only two law schools in the country continue to give aid based entirely on need — Harvard and Yale. Just this year, Yale Law School doubled down on that commitment, launching a tuition-free scholarship for students who come from families below the poverty line. These students overcame nearly insurmountable odds to get to Yale, and their stories are nothing short of inspiring. Regrettably, *U.S. News* has made it difficult for other law schools to eliminate the financial barriers that deter talented minds from joining our profession.

Finally, the way *U.S. News* accounts for student debt further undercuts the efforts of law schools to recruit the most capable students into the profession. To its credit, *U.S. News* has recognized that debt can deter excellent students from becoming lawyers and has tried to help by giving weight to a metric that rests on the average debt of graduating students and the percentage of students who graduate with debt. Yet a metric based on debt alone can backfire, incentivizing schools to admit students with the means to pay tuition over students with substantial financial need. A far better measure is how much financial aid a law school provides to its students, rewarding schools that admit students from low-income backgrounds and support them along the way. That crucial measure receives inadequate weight in the rankings.

The people most harmed by this ill-conceived system are applicants who aspire to public service work and those from low-income backgrounds. They're trying to make a sensible choice about their future, and law schools want to do right by them. Unfortunately, the rankings system has made it increasingly difficult for law schools to provide robust support for students who serve their communities, to admit students from low-income backgrounds, and to target financial aid to the students most in need. Although we will not submit data to *U.S. News* going forward, each year Yale Law School will provide prospective students with data in a public, transparent, and useful form to ensure they have the information they need to decide which law school is right for them.

Leaders in legal education should do everything they can to ensure students of all backgrounds have the support and resources they need to enter our profession and contribute to society. Granting exclusive access to a flawed commercial rankings system is counterproductive to the mission of this profession and the core values of Yale Law School. While I do not take this decision lightly, now is the time for us to walk away from the rankings in order to pursue our own path forward as we work to advance legal education.

