Predicting Law School Success: A Study of Goal Orientations, Academic Achievement and the Declining Self-Efficacy of Our Law Students

Leah M Christensen, *Thomas Jefferson School of Law*
PREDICTING LAW SCHOOL SUCCESS: A STUDY OF GOAL ORIENTATIONS, ACADEMIC ACHIEVEMENT AND THE DECLINING SELF-EFFICACY OF OUR LAW STUDENTS

By Leah M. Christensen*

Abstract: This study asked 157 law students to respond to a survey about their learning goals and motivations for learning in law school. The student responses were correlated to different academic variables, including class rank, LSAT scores, undergraduate GPA. Further, the study explored whether any relationships existed between goal orientations (mastery or performance) and law school success (class rank). The results were illuminating: despite the performance-based curriculum of law school, the most successful students were mastery oriented learners. In contrast, there was no statistical correlation between performance-oriented learning and law school success. Further, the LSAT score was the weakest predictor of law school success. The results also illustrated something else about successful law students - there was a cost to their success. Despite high achievement and mastery-oriented learning styles, the more successful law students were also more likely to doubt their individual abilities to understand and apply the law. In this study, highly ranked law students rated themselves low on academic self-efficacy measures. Low self-efficacy is a trait more typically associated with performance-orientation. What accounts for this result? The answer may lie within legal education's goal structure - a structure completely oriented towards performance.

INTRODUCTION

I have long been interested in how the most successful law students learn. For the top law students, do they innately possess superior skills or can we teach law students the skills and strategies that will contribute to their success? What motivates law students to learn? During the last two decades, psychologists have been using achievement goal theory as a framework with which to examine the relationship between achievement goals and student success.\(^1\) Achievement goal theory examines the goals that students pursue in an academic setting.\(^2\) The current psychological research suggests that there is a correlation between achievement goal motivation, i.e., why a student wants to learn, and their overall success.\(^3\) Dr. Carol Dweck, an expert in achievement goal theory, describes the differences in goal orientations as follows:

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\(*\)Associate Professor of Law, Thomas Jefferson School of Law. B.A., University of Chicago. J.D., University of Iowa. I would like to thank my dedicated research assistant, Darryn Beckstrom, for her work in capturing and analyzing the data. This study would not have been possible without her skillful assistance.


\(^2\) Id.

\(^3\) See Carol S. Dweck, Self-Theories: Their Role in Motivation, Personality, and Development, Essays in Social Psychology 1, 1-9 (2000)(Psychology Press). Although this theory has been tested in elementary and secondary schools across the country, it has not been tested in law schools.
“... Individuals may strive for high grades for different reasons. They may seek high grades in order to prove that they are intelligent or as an index of learning or mastery of the material. In this approach, these two aims—seeking to prove one’s competence versus seeking to improve one’s competence—represent two qualitatively different classes of goals (performance goals vs. learning goals, respectively) and, as such, would be expected to have different patterns of behavior-cognition-affect attending their pursuit.”

Dweck’s research suggests that the most successful individuals “love learning;” successful individuals look for challenges, they use effort and they “persist in the face of obstacles.” Dweck believes that the key to success is not ability so much as it is whether you look at ability as something inherent that needs to be demonstrated or as something that can be developed. Much of Dweck’s research has explored why some students display these mastery-oriented qualities and others do not. Mastery-oriented learners are focused on learning as something valuable and meaningful in itself. They view learning tasks as ongoing processes, are more concerned with charting their own progress than comparing their progress to that of others. In contrast, students with performance-oriented goals want to look smart even if it means not learning as much in the process. For performance-oriented learners, “each task is a challenge to their self-image, and each setback becomes a personal threat.” So students motivated by performance goals pursue only activities at which they are more likely to shine—and avoid the sorts of experiences necessary to grow and flourish in any endeavor.

I have noticed these different goal orientations in my own law students. While some law students seem driven to learn almost exclusively because of grades and exam scores, others appear more interested in developing their overall competence to practice law. The present study seeks to apply Dweck’s theory of achievement goal theory to legal education.

Law school is perhaps the most performance-based academic curriculum of all graduate schools. Critics of the traditional law school curriculum argue that law schools rely too much on grading systems (as opposed to evaluation systems); that requiring norm-referenced grading undermines an effective learning environment; and that ranking
is wholly counterproductive in a program designed to prepare individuals to serve justice.\textsuperscript{13}

What does our choice to rate and rank students within a performance-based goal structure reveal about the values legal education prefers and the values that it discounts in our students? And, what types of students succeed in a performance-oriented curriculum?

The current study seeks to explore these questions. This study asked 157 law students to respond to a survey about their learning goals and motivations for learning in law school. The student responses were correlated to different academic variables, including class rank, LSAT scores, undergraduate GPA. Further, the study explored whether any relationships existed between goal orientations (mastery or performance) and law school success (class rank). The results were illuminating: despite the performance-based curriculum of law school, the most successful students were mastery oriented learners.\textsuperscript{14} In contrast, there was no statistical correlation between performance-oriented learning and law school success.\textsuperscript{15} Further, the LSAT score was the weakest predictor of law school success.\textsuperscript{16}

The results also illustrated something else about successful law students---there was a cost to their success. Despite high achievement and mastery-oriented learning styles, the more successful law students were also more likely to doubt their individual abilities to understand and apply the law. In this study, highly ranked law students rated themselves low on academic self-efficacy measures. Low self-efficacy is a trait more typically associated with performance-orientation.\textsuperscript{17} What accounts for this result? The answer may lie within legal education’s goal structure---a structure completely oriented towards performance.

This article explores the results of the present study. Part I describes the theoretical framework of goal orientation theory. Part II describes the present study, including the survey design and the methods used to collect and analyze the data. In Part III, this Article will discuss the results of the current study, and Part IV will explore the conclusions we might draw from the data, including suggestions for legal education reform.

I. ACHIEVEMENT GOAL THEORY: DO I LOOK SMART OR AM I LEARNING?\textsuperscript{18}

The focus of achievement goal theory is on how individuals think about themselves, their academic tasks, and their performance.\textsuperscript{19} Goals provide a framework within which

\textsuperscript{13} Barbara Glesner Fines, \textit{Competition and the Curve}, 65 UMKC L. Rev. 879, 879 (1997).
\textsuperscript{14} Statistical Data Summary, p.1-2 (on file with the author)(hereinafter referred to as “Data Summary”).
\textsuperscript{15} \textit{Id.} at 4.
\textsuperscript{16} \textit{Id.} at 1. In this study, LSAT scores were the weakest predictors of law school success; Lawyering Skills grades were the strongest predictor of success and Undergraduate GPA was a fair predictor of success. These specific results will be discussed in more detail below.
\textsuperscript{17} Dweck & Leggett, \textit{supra} note 8 at 259.
\textsuperscript{18} Dweck, Self-Theories, \textit{supra} note 3 at 15.
individuals interpret and react to events, and these goals result in different pattern of cognition, affect, and behavior. Theorists have described two achievement goals in particular: the goal to develop ability (a mastery or learning goal) and the goal to demonstrate ability or to avoid the demonstration of lack of ability (a performance goal).

Dweck’s research on achievement goals has centered on the following question: “Why do some students react to an obstacle as though it’s a painful condemnation, when others see the same obstacle as a welcome challenge?” Dweck hypothesized that achievement situations were about different things for different students. For some students, challenges are “tests of their intelligence,” and when these students encounter problems, they feel as though they are failing an intelligence test. For other students, the same obstacles are viewed by the students as “opportunities to learn new things.” Dweck proposed that those students who crumpled at challenges, i.e., performance-oriented students, and those students that embraced challenges, i.e., mastery-oriented students, actually had different goals in mind, and that these goals shaped the way they responded to challenging tasks. Students who were performance-oriented tried to “look smart” by taking on easy tasks and avoiding mistakes or by taking on harder tasks, but only those tasks at which they will do well. In contrast, those students with learning or mastery goals wanted to “...learn new skills, master new tasks, or understand new things---a desire to get smarter.”

Dweck believes both goals are acceptable and that students can ideally achieve both goals at the same time. However, in the real world, learning and performance goals are often in conflict. The dilemma can be summarized as follows:

The tasks that are best for learning are often challenging ones that involve displaying ignorance and risking periods of confusion and errors. The tasks that are best for looking smart are often ones that students are already good at and won’t really learn much from doing.

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19 Midgley, supra note 1, at xi.
20 Id. at xi.
21 Id.
22 Dweck, Self-Theories, supra note 3 at 15.
23 Id.
24 Id.
25 Id.
27 Dweck, Self-Theories, supra note 3 at 15.
28 Id. These terms are often interchanged by researchers. Performance goals are sometimes called ability goals, ego-involved goals, or normative goals (because the student wants to compare favorably to others). Learning goals can be called mastery goals or task goals.
29 Id. at 15-16.
30 Id. at 16.
31 Id. at 16.
An overemphasis on performance goals can be dangerous---it can drive out learning goals, leading students to pass up valuable learning opportunities if they involve any risk of errors.\textsuperscript{32} In addition, an overemphasis on performance goals can foster a “helpless response.”\textsuperscript{33} Because a performance goal measures ability, students adopting this achievement goal measure themselves by their performance, and so when they do poorly on an assignment or test, they may blame their intelligence and fall into a “helpless response.”\textsuperscript{34}

Elliot and Dweck hypothesized that helpless and mastery-oriented individuals might actually pursue very different goals.\textsuperscript{35} That is, “their different perceptions and reactions might be a result of their different aims or purposes in the situation.”\textsuperscript{36} The researchers experimentally induced performance or learning goals and examined the students’ behavior that followed from each goal.\textsuperscript{37} They framed their research question as follows:

\textbf{. . . [W]hether the performance goal, with its emphasis on measuring ability, would create a greater vulnerability to the helpless pattern, whereas the learning goal, with its emphasis on acquiring ability, would create a greater tendency to display the mastery-oriented pattern.}\textsuperscript{38}

The results showed that when children were oriented toward skill acquisition, they chose the challenging learning task and displayed a mastery-oriented pattern.\textsuperscript{39} In contrast, when children were oriented toward performance, the achievement pattern they displayed was highly dependent on their perceived ability.\textsuperscript{40} Children who perceived their ability to be high selected the challenging performance tasks that would allow them to obtain judgments of competence, whereas children who perceived their ability to be low selected easier tasks that would permit them to avoid judgments of incompetence.\textsuperscript{41} Elliot and Dweck also found that a great majority of the children in the performance-oriented condition sacrificed altogether the opportunity for new learning that involved a display of errors or confusion.\textsuperscript{42}

\textsuperscript{32} \textit{Id.}.
\textsuperscript{33} \textit{Id.} at 16. The “helpless response” is when students doubt themselves, question their ability, lose heart and give up trying when they meet obstacles. \textit{See} General Teaching Council of England, website, at 1, http://www.gtce.org.uk/research/romtopics/rom_teachingandlearning/persistence_oct07/study. The helpless response as a characteristic style can be considered maladaptive because challenge and obstacles are inherent in most important pursuits. Dweck & Leggett, \textit{supra} note 8 at 257. A response pattern that deters individuals from confronting obstacles or that prevents them from functioning effectively in the face of difficulty must ultimately limit their attainments. \textit{Id.}
\textsuperscript{34} Dweck, Self-Theories, \textit{supra} note 3 at 16.
\textsuperscript{35} Elliott & Dweck, Goals, \textit{supra} note 26 at 5.
\textsuperscript{36} Dweck & Leggett, A Social-Cognitive Approach, \textit{supra} note 8 at 259.
\textsuperscript{37} \textit{Id.} at 259.
\textsuperscript{38} \textit{Id.}
\textsuperscript{39} \textit{Id.}
\textsuperscript{40} \textit{Id.}
\textsuperscript{41} \textit{Id.}
\textsuperscript{42} \textit{Id.}
What is the relevance of studying students’ achievement goals? Different student goals produce different patterns of cognition and behavior. “Evidence increasingly suggests that the goal an individual is pursuing creates a framework for interpreting and responding to events that occur.”

The same event may have an entirely different meaning and impact if it occurs within the context of a learning goal versus a performance goal. For example, a different goal framework may set up different reactions in the face of failure. Students with different goals approach each situation differently, asking different questions and seeking out different information. For each student, the data in a situation will be interpreted in light of their focal concern and provide information relevant to their question. For a performance goal, individuals are concerned with measuring their ability and with answering the question, “is my ability adequate or inadequate?” Within such a framework, outcomes will be a chief source of information relevant to this concern and thus failure outcomes may readily elicit the helpless attribution that ability is inadequate.

In contrast, learning goals create a concern with increasing one’s ability and extending one’s mastery; learning goals lead individual’s to pose the question, “what is the best way to increase my ability or achieve mastery?” Here, outcomes would provide information about whether one is pursuing an optimal course and, if not, what else might be necessary. Failure would simply mean that the current strategy may be insufficient to the task and may require upgrading or revision. The self-instructions and self-monitoring of the mastery-oriented students can therefore be seen as a direct implementation of this information in pursuit of future goal success. Thus the attributions of the performance-oriented children and the self-instructions of the mastery-oriented children in response to failure may be viewed as natural outgrowths of their goals.

How is this theoretical framework of goal orientation relevant to legal education? Law school is a system that thrives on competition and external assessment---a performance-oriented goal structure. In his description of the “dark side” of legal education, Professor Larry Krieger describes the traditional law school paradigm as follows:

*The top-ten-percent tenet*—the belief that success in law school is exclusively demonstrated by high grades, appointment to a law review, and similar academic honors. This belief is entirely obvious at most law schools, whether elite or more

43 Id.
44 Id.
45 Id.
46 Id.
47 Id.
48 Id.
49 Id.
50 Id.
51 Id.
52 Id.
53 Id.
typical. The contingent-worth paradigm—the corollary sense that personal worth, the opinions of one's teachers and potential employers, and therefore one's happiness and security in life depend on one's place in the hierarchy of academic success. While there are, of course, comparative evaluations and rankings in other educational settings and in our broader society, in many law schools these considerations virtually dominate the collective thinking and become identified with personal worth.  

Krieger’s description of the “contingent worth paradigm” is particularly relevant to a discussion of performance-goals. The fact that success in law school is determined almost exclusively by high grades and that a student’s sense of “personal worth” can be related to grades and “teacher’s opinions” fits squarely within the framework of performance- or ego-based learning. Professor Krieger conducted an empirical study with Dr. Ken Sheldon that examined how the traditional law school paradigm affected law students’ mental health and life satisfaction. The Sheldon/Krieger study found that law students’ mental health and life satisfaction shifted from strong mental health and life satisfaction during initial orientation to increased distress and depression later in the first year and into the second year of law school. The study also revealed additional problematic changes in law students:

[There was] . . . an overall dulling of student motivation and goal-directed striving, and shifts away from initially positive motivation and altruistic values toward external, imposed values and motives. All of these changes predict further decreases in future well-being and life satisfaction.

The present study seeks to explore a different but related research question. How does law school with its performance-based goal structure affect law students’ motivation to learn? Are the most successful law students those who are oriented toward performance? Or do mastery oriented learners excel in law school (despite the performance-based paradigm of legal education)?

The answers to these questions have particular relevance for those of us who teach in legal education. Research has shown that teachers can influence their students’ goal orientations in the classroom and that the structure within which we teach can affect our students’ success. If the most successful students are mastery-oriented learners, it makes sense that law school professors create mastery-oriented classrooms to enhance student success. Further, if there are negative ramifications to the performance-based goal structure and curriculum of legal education, i.e., a loss of student self-efficacy and self-confidence, the results of this study provide can provide further support for reform within legal education.

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55 Id.
56 Id.
57 Id.
58 Id.
59 Id.
III. STUDY METHODOLOGY

This section will describe the study methodology, including the survey design, participants, and data analysis. The survey was adapted from the Patterns of Adaptive Learning Scales or PALS—a questionnaire developed by researchers at the University of Michigan in order to conduct large-scale research on goal achievement theory as applied to elementary school and secondary schools.60 The main purpose of the PALS research was to determine how goal orientation theory could promote reform within public schools.61 As a result of their research, the PALS team developed and published scales (comprehensive survey questions) to assess various constructs associated with achievement goals.62 For consistency and reliability, I adopted the PALS survey with slight revisions to make the questions appropriate to the law school context. The survey questions were designed to examine the relationship between students’ personal achievement goals in law school (mastery or performance-based achievement goals) and correlate those achievement goals with academic success (class rank).63

The participants in this study were law students from a private, Midwestern law school and included first through third year students.64 We received 157 responses (81 females; 76 males) and sent out approximately 230 survey requests.65

The survey asked students to answer 89 questions about their motivations for learning, their perceptions of the goal structures in law school, and their academic efficacy.66 The survey used a 5-point scale in which students were asked to rate their responses to questions using a 1-5 scale (1 = “Not at all true;” 3= “Somewhat true;” and

60 Midgley, Goals, supra note 1, at xii.
61 Id.
62 Id.
63 Midgley, Goals, supra note 1 at 2. I do not believe that class rank is the sole measure of “success” of any law student. I believe that law students succeed in law school by branching out and engaging in numerous other activities. However, for the purpose of this study, I used class rank as an objective measure of “success.” Certainly it is not the only measure of success in law school.
64 The survey was conducted using an online survey site (Survey Monkey.com) and e-mails were sent to the student body through their university e-mail accounts notifying them of the opportunity to participate in a voluntary and anonymous survey. Within this e-mail, students were asked if they would like to participate in a survey which “examines law students and their learning environment.” If students agreed to participate in the survey, they clicked on a link which would take them to the survey. Between February 25, 2008 and March 8, 2008, 157 responses were collected (81 females and 76 males). (Data on file with the author).
65 Fifty-two responses were from first-year students, 60 responses from second-year students, and 45 responses from third-year students. Sixty percent of the respondents were 22-25 years of age, while 29 percent were between 26-30 years of age, 7 percent were between 31-40 years of age, and nearly 5 percent were above 40 years of age. Further, 87 percent of respondents were non-Hispanic white while 13 percent were minorities. Sixty-seven percent of respondents were single while 33 percent were married. Finally, most respondents were either humanities or social science majors in college, with about 80 percent of respondents reporting that they had majored in one of these majors. All the participants volunteered for the study. (Data on file with the author).
66 Midgley, Goals, supra note 1, at 10.
The survey mixed questions from various scales whenever possible rather than presenting them as a set. For example, one of the questions was as follows:

\[\ldots \text{PLEASE MARK THE NUMBER THAT BEST DESCRIBES WHAT YOU THINK ABOUT THE STATEMENT}. \ldots\]

1. I'm certain I can master the skills taught in law school.

<table>
<thead>
<tr>
<th></th>
<th>1</th>
<th>2</th>
<th>3</th>
<th>4</th>
<th>5</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NOT AT ALL TRUE</td>
<td>SOMEWHAT TRUE</td>
<td>VERY TRUE</td>
<td></td>
<td></td>
</tr>
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</table>

Because the goal of this study was to discern the relationship between students’ motivations for learning and law school achievement, we also asked students to provide their LSAT scores, Undergraduate Grade Point Average (UGPA), and Lawyering Skills Grade, as well as their class rank.

After the surveys were completed, we downloaded all of the responses and created a large database. We developed lists of abbreviations, file names, and variable numbers to be used in processing each question within the data set. All processing of data was done with a STATA statistical package. Descriptive statistics, including means, standard deviations, and percentages were generated, as well as Pearson correlations.

III. RESULTS

Overall, the study found a strong correlation between mastery goal orientation and law school success (as measured by class rank). In contrast, there was no correlation between performance goal orientation and class rank. However, performance goal orientation did correlate to higher LSAT scores. We also found that higher achieving students in this study had lower academic self-efficacy.

In addition to goal orientations, this study also examined the correlation between academic variables, LSAT, UGPA or Lawyering Skills Grade, and class rank. We found that Lawyering Skills Grade was the strongest predictor of law school success followed by UGPA and LSAT. The LSAT had a very weak correlation to class rank. The following section will discuss these results in more detail.

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67 This 5 point scale is called a Likert-type scale. A Likert scale is a psychometric scale commonly used in questionnaires, and is the most widely used scale in survey research. When responding to a Likert questionnaire item, respondents specify their level of agreement to a statement. The scale is named after Rensis Likert, who published a report describing its use. See generally, Wikipedia, Likert Scale, at http://en.wikipedia.org/wiki/Likert_scale.

68 Typically, there were 4-5 questions relating to each variable. Mixing the questions improved the reliability of the participants’ responses. We also asked demographic and academic information.

69 I say “we” in this section because the statistical calculations were run by my research assistant.

70 Analysis of the summary statistics included examining the mean, minimum value, maximum value, and standard deviation for all of the variables employed in this study. Further, the data was also examined to determine whether or not there were any missing values in the data. See Data Summary, at 1-6 and statistical calculations (on file with the author).
A. Mastery Goal Orientation: Successful Law Students Were Mastery Oriented Learners

Mastery Goal Orientation and Class Rank. The results of the current study are consistent with prior research which has found a correlation between mastery goal orientation and high academic achievement.\(^{71}\) In the present study, there was a statistically significant correlation between those students who had mastery oriented academic goals and their law school class rank.\(^{72}\) In other words, the more successful law students were mastery oriented learners.

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>Class Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mastery Goal Orientation</td>
<td>Yes—Positive Correlation (strong)*</td>
</tr>
<tr>
<td>*Law students with high class rank tended to have mastery goal orientation</td>
<td></td>
</tr>
</tbody>
</table>

In the study, we assessed law students’ orientation toward mastery goals with five questions. Law students were asked to rate their agreement or disagreement with the following questions.\(^{73}\)

1. It’s important to me that I learn a lot of new concepts this year.
2. One of my goals in class is to learn as much as I can.
3. One of my goals is to master a lot of new skills this year.
4. It’s important to me that I thoroughly understand my class work.
5. It’s important to me that I improve my skills this year.\(^{74}\)

We used two measures to determine mastery goal orientation. First, we calculated an average of the student responses to each of the five questions; second, we used a dichotomous measure of mastery goal orientation.\(^{75}\) We then examined the relationship between mastery goal orientation and class rank, as well as other academic variables.

\(^{71}\) Data Summary, *supra* note 7, at 1-2.

\(^{72}\) Although we looked for relationships between goal orientations and class rank, undergraduate GPA, and LSAT scores, class rank was the variable that statistically correlated to mastery goal orientation.

\(^{73}\) We asked respondents to rate their responses to these questions on scales that were anchored at 1 = "Not at all true," 3 = "Somewhat true," and 5 = "Very true."

\(^{74}\) See Survey (on file with the author). These questions were mixed throughout the survey.

\(^{75}\) A dichotomous measure is a variable that categorizes data into two groups. See http://www.microsiris.com/Statistical%20Decision%20Tree/Glossary.htm. In this case, we used a
The results revealed that that mastery goal orientation was highly correlated to class rank and the correlation was both positive and statistically significant.\textsuperscript{76} Those law students with higher averages for their mastery goal orientation score were, on average, more likely to have higher class ranks when compared to those with lower averages for their mastery goal orientation scores.\textsuperscript{77}

*Mastery Goal Orientation and LSAT Scores.* We also examined whether students with a mastery goal orientation tended to have higher or lower incoming LSAT scores. The study results suggested that law students with higher LSAT scores were less likely to be mastery oriented learners. Specifically, we found a negative correlation (albeit weak) between mastery goal orientation and LSAT score.\textsuperscript{78} Although we cannot draw any firm conclusions regarding the relationship between mastery goal orientation and LSAT scores, the results do suggest that higher LSAT scores relate to a lower mastery goal orientation. For example, those students with higher LSAT scores tended to disagree with the statement, “One of my goals in class is to learn as much as I can,” when compared to those with lower LSAT scores. There was a statistically significant relationship between this individual variable (question) and mastery goal orientation.\textsuperscript{79}

Table 2  
*Mastery Goal Orientation and LSAT Score*

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>LSAT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mastery Goal Orientation</td>
<td>Yes—Negative Correlation (weak) (individual variables correlated in a statistically significant manner)</td>
</tr>
<tr>
<td></td>
<td>*Law students with higher incoming LSAT scores were less inclined toward mastery goal orientation.</td>
</tr>
</tbody>
</table>

\textsuperscript{76} Again, the mastery goal orientated learning variable was identified by taking the mean of five variables measuring mastery goal oriented tendencies. The statistical correlation was \((r = 0.25, p < 0.05)\).  
\textsuperscript{77} Further, for the dichotomous measure, when the MGO was coded as an index, in which those with averages of 4 and above were coded 1 and those below 4 were coded 0, there was still a positive and statistically significant correlation between class rank and MGO learning \((p = 0.19, p < 0.05)\). See Data Summary, supra note at 1-2.  
\textsuperscript{78} There was a slight negative correlation \((r = -0.07)\), i.e., those with higher LSAT scores have less tendencies toward mastery goal orientation. However, this negative correlation was not significant enough to conclude that there is a correlation between LSAT scores and MGO, although this relationship may suggest something. Overall, var25 was negatively correlated with LSAT score \((r = -0.18)\). Those with higher LSAT scores are less likely to agree with the following statement, “One of my goals in class is to learn as much as I can,” when compared to those with lower LSAT scores. This was statistically significant at the 0.05 significance level. See Data Summary, supra note at 2.  
\textsuperscript{79} We found a statistically significant relationship to the 0.05 level. Id.
In summary, this study found that the most successful students had mastery goal orientations—and that law students with higher LSAT scores were less likely to be mastery oriented learners.

**B. Performance Goal Orientation: No Correlation Between Performance-Orientation and Law School Success**

*Performance Goal Orientation and Class Rank.* The study also explored whether there was a relationship between law students with a performance goal orientation and law school success. Specifically, I was interested in whether law students with a performance orientation succeeded more readily, i.e., had higher class rank, compared to other law students. The study results showed that there was no correlation between performance goal orientation and class rank. Those law students with higher (or lower) class ranks were not more likely to be performance oriented learners.  

There were five questions designed to measure performance goal orientation.

1. It’s important to me that other students in my class think I am good at law school.
2. One of my goals in law school is to show others that I’m good at my class work.
3. One of my goals is to show others that class work is easy for me.
4. One of my goals is to look smart in comparison to the other students in my class.
5. It’s important to me that I look smart compared to others in my class.

The students were asked to rate their level of agreement with each of these statements between 1 and 5. After collecting the responses, we averaged the scores for the five questions measuring performance orientation tendencies and examined a dichotomous measure. Overall, performance orientation was not correlated to class rank.

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>Class Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Performance Goal Orientation</td>
<td>No Correlation*</td>
</tr>
<tr>
<td></td>
<td>*Law students with high class rank</td>
</tr>
<tr>
<td></td>
<td>were not more or less inclined toward performance goal orientation.</td>
</tr>
</tbody>
</table>

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80 Data Summary, p. 2.
81 These questions were mixed throughout the survey. See Student Survey (on file with the author).
82 We also used a dichotomous measure for PAO in which an average score of 2.5 or above would be coded as 1 (more likely to be a mastery goal oriented learner) and those with an average score below 2.5 would be coded as a 0 (less likely to be a mastery goal oriented learner). Data Summary, supra note at 2.
83 Data Summary, p. 3 (on file with the author).
**Performance Orientation and LSAT Scores.** While we did not find a statistical correlation between performance goal orientation and class rank, there was a relationship between performance goal orientation and LSAT scores.\(^{84}\) There was a positive relationship between those law students who displayed performance-oriented achievement goals and LSAT scores.\(^{85}\) In other words, those law students with higher incoming LSAT scores were more likely to be performance-oriented learners.\(^{86}\) Further, several individual variables were positively correlated to LSAT scores (and statistically significant). With regard to the specific question, “It’s important to me that I look smart compared to others in my class,” those with higher LSAT scores tended to agree with this statement while those with lower LSAT scores disagreed with this statement.\(^{87}\) Further, those with higher LSAT scores were more likely to agree with the statement, “It’s important to me that my professor doesn’t think that I know less than others in class” whereas those students with lower LSAT scores tended to disagree with the statement.\(^{88}\) The results of this section are summarized below in Table 4.

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>LSAT Score</th>
</tr>
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<tbody>
<tr>
<td>Performance Goal Orientation</td>
<td>Yes—positive (Individual variables correlated in a statistically significant manner)</td>
</tr>
<tr>
<td></td>
<td>*Law students with higher LSAT scores were more inclined toward mastery goal orientation.</td>
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</tbody>
</table>

In summary, performance goal orientation did not correlate to class rank but performance goal orientation did have a positive correlation to LSAT scores. In this study, those law students with higher incoming LSAT scores tended to be more inclined toward a performance goal orientation.\(^{89}\)

\(^{84}\) Data Summary, p. 3-4 (on file with the author).
\(^{85}\) For the average measure of performance orientation, the correlation for the average was \(r = 0.06\) and the correlation for the dichotomous measure was \(r = 0.07\). Data Summary, p. 3-4 (on file with the author).
\(^{86}\) Data Summary, p. 3-4 (on file with the author).
\(^{87}\) Var48, “It’s important to me that I look smart compared to others in my class” was positively related to LSAT score \((r = 0.16)\), and this result was statistically relevant. Data Summary, p. 1.
\(^{88}\) The correlation was both positive and statistically relevant. This question was from the performance avoid approach set of questions (a subset of the performance approach orientation survey questions). Data Summary, at 4-5 (on file with the author). Var51 was positively correlated with LSAT score. Therefore, as one’s LSAT score increases, students’ agreement with the statement, “It’s important to me that my professor doesn’t think that I know less than others in class,” increases \((r = 0.17)\). *Id.* at 5. This was statistically significant at the 0.05 level. *Id.*
\(^{89}\) Further, even when performance orientation was treated as a dichotomous variable, there was still no correlation between rank and being a PAO learner \((r = -0.01)\). For the average measure of PAO, the
C. Law Students with Higher Class Rank Had Lower Academic Self-Efficacy

The other important finding in this study was that the law students with higher class rank tended to have lower academic self-efficacy. The concept of “self-efficacy” explains “how individuals’ perceptions of their competence and control develop, and to explore how those perceptions affect their ability to actually cope with the challenges they face.”

Empirical research illustrates that students with “high self-efficacy for a specific task are significantly more likely to do the things necessary to succeed at the task and far more likely to persist in the face of adversity than are individuals with low self-efficacy in relation to that specific task.”

In this study, the law students with high class rank had low self-efficacy, i.e., high-ranking law students did not believe they could do the work in law school or that they could meet academic challenges in law school.

In the present study, we asked students to respond (either agreeing or disagreeing) to the following questions related to academic self-efficacy.

1. I’m certain I can master the skills taught in law school.
2. I’m certain I can figure out how to do the most difficult work in my law school classes.
3. I can do almost all the work in my law school classes if I don’t give up.
4. Even if the work is hard, I can learn it.
5. I can do even the hardest work in law school if I try.

While one might expect the more successful law students to agree with many, if not all, of these statements (since they had been successful in their law school classes), this did not occur. In examining the individual questions as they related to class rank, we found that there was a negative correlation between class rank and academic self-efficacy. The statistical results indicated a negative correlation between class rank and self-efficacy. In other words, those students with high class rank disagreed with statements illustrating self-efficacy.

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90 Ruth Ann McKinney, Depression and Anxiety in Law Students: Are We Part of the Problem and Can We Be a Part of the Solution?, 8 LEGAL WRITING J. LEGAL WRITING INST. 229, 233 (2002)(citing Albert Bandura, Self-Efficacy Theory: Toward a Unifying Theory of Behavioral Change, 84 PSYCHOL. REV. 191 (1983)).

91 Id. at 234 (noting that the literature in the field of social psychology is replete with literally thousands of studies based on Albert Bandura's landmark work in the area of self-efficacy). See, e.g., James E. Maddux, ed., Self-Efficacy, Adaptation, and Adjustment: Theory Research, and Application (Plenum Press 1995) at 12-13.

92 The statistical results indicated a negative correlation between class rank and self-efficacy. In other words, those students with high class rank disagreed with statements illustrating self-efficacy. Data Summary, p. 7 (on file with the author).
efficacy. In other words, those law students with higher class rank tended to disagree with statements reflecting academic self-efficacy.

Table 5

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>Class Rank</th>
</tr>
</thead>
<tbody>
<tr>
<td>Academic Self-Efficacy</td>
<td>Yes—negative correlation.</td>
</tr>
<tr>
<td>*Law students with higher class rank scores disagreed with statements reflecting self-efficacy</td>
<td></td>
</tr>
</tbody>
</table>

For example, high ranking law students disagreed with the following statement, “I can do almost all the work in my law school classes if I don’t give up,” as compared to those with lower class ranks. Law students with high class ranks disagreed with the statement, “Even if the work is hard, I can learn it,” compared to those with lower class ranks. Finally, high ranking law students disagreed with the statement: “I can do even the hardest work in law school if I try,” when compared to those with lower class ranks. And these findings were all statistically relevant.

These results are particularly interesting given that much of the prior empirical research in goal orientation theory has shown that mastery orientation and high achievement produce higher self-efficacy. The logical question becomes---what about law school creates these unexpected results? The answer to this question will be discussed in more detail in Part III.

D. The LSAT Was the Weakest Predictor of Law School Success

The study also explored different academic variables and their relationship to law school success. Specifically, the study examined the relationship between LSAT score,

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93 Data Summary, p. 2.
94 Id. In this section, we did not take an average measure of responses and/or utilize a dichotomous measure for determining correlations. Instead, we examined each variable (survey question) against the different academic variables to determine whether the individual questions were statistically related to any of the academic variables. Various self-efficacy measures (variables) had a negative correlation with class rank. Id.
95 Var52, “I can do almost all the work in my law school classes if I don’t give up,” is negatively correlated with class rank (r = -0.16). Data Summary, p. 7 (on file with the author). Further, var52 is negatively correlated with LSAT score (r = -0.17). Id. This correlation was statistically significant at the 0.05 significance level. Id.
96 Var56, “Even if the work is hard, I can learn it,” was also negatively correlated with class rank (r = -0.16). This correlation was statistically significant at the 0.05 significance level. Id.
97 Var58, “I can do even the hardest work in law school if I try,” was negatively correlated with class rank (r = -0.18). This correlation was statistically significant at the 0.05 significance level. Data Summary, p. 7 (on file with the author).
98 Id.
Undergraduate Grade Point Average (UGPA), and Lawyering Skills Grade as these variables related to class rank. The purpose of this calculation was to determine which academic variable was the strongest predictor of law school success (class rank).

Table 1: Relationship between academic success variables and law school class rank:

<table>
<thead>
<tr>
<th>Academic Variable</th>
<th>Correlation to Class Rank</th>
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<tbody>
<tr>
<td>LS Grade</td>
<td>0.57 (fairly strong correlation)</td>
</tr>
<tr>
<td>UGPA</td>
<td>0.46 (moderate correlation)</td>
</tr>
<tr>
<td>LSAT</td>
<td>0.23 (weak correlation)</td>
</tr>
</tbody>
</table>

The strongest predictor of success was between Lawyering Skills grade and class rank (0.57). There was a moderate positive correlation between UGPA and class rank (0.46). And, there was a weak correlation between LSAT score and class rank (0.23). According to the results of this study, Lawyering Skills Grade is a better predictor of class rank than the LSAT. Further, undergraduate performance, rather than a student's performance on the LSAT, is a stronger predictor of law school performance.
III. EXPLANATION OF STUDY RESULTS

A. Mastery Goal Orientation and Law Student Success

When I began this study, I wanted to explore whether the most successful law students might be performance-oriented learners—contrary to the prior research on goal orientations which has found that that mastery-oriented learning fosters success. I reasoned that because traditional legal pedagogy was so steeped in a performance-oriented goal structure, the more successful law students might adapt their achievement goals to fit within this performance-based structure. In other words, legal education might create a reverse effect—-in order to succeed in law school, law students would become more performance-oriented.

This result did not occur---completely. The results of this study showed a relevant statistical correlation between those law students with a mastery-goal orientation and law school success (as measured by class rank). Those law students who achieved higher grades in law school had mastery-goal orientation despite law school’s emphasis on performance goals. As such, the results of the current study are relatively consistent with the prior research on goal orientation. Mastery-goal orientation appears to enhance high academic achievement.


105 See, e.g., Dweck, Self-Theories, supra note 3, at 10 (describing that in her research, most students in a mastery-oriented group performed better in challenging situations).

106 Here, I say “completely” because the more successful students—even though they measured as mastery-oriented learners, did take on some performance-oriented characteristics, i.e., lower self-efficacy. Accordingly, the performance-based structure of law school appears to have some effect on students’ goal orientations.

107 Data Summary, p. 1.

108 See infra section II; see also, Carol S. Dweck and Ellen L. Leggett, A Social Cognitive Approach, supra note 8 at 257.
Empirical research on achievement goal theory has shown that mastery goals are associated with adaptive patterns of learning.\textsuperscript{109} Evidence suggests that when students report that they do their schoolwork with the purpose of learning, understanding, and improving, they are also likely to report adaptive cognitive, behavioral, and emotional outcomes.\textsuperscript{110} Although these studies focused on student learning in elementary and secondary education, the results appear applicable to law school as well. For example, mastery goals have been found to be associated with feeling academically efficacious, preferring challenging tasks, and persisting in the face of difficulties.\textsuperscript{111} Further, mastery goals have been found to be associated with the use of effective cognitive and meta-cognitive strategies; the attribution of success to effort, interest, and strategy use, positive attitudes toward school and schoolwork; and even with positive general well-being.\textsuperscript{112}

The results of this study have important ramifications for law students. If we want to maximize our students’ learning, we need to emphasize the benefits of mastery-oriented learning early on in their legal education. In addition, we can create classrooms that support mastery goal orientation. Even if the law school curriculum is slow to change over time, i.e., remains performance-based, our students can still be more successful by adopting learning strategies that promote a mastery-goal orientation. Whether we are working with our students individually or whether we are leading a large classroom, this study illustrates that we should make every effort to support mastery-goal oriented learning.

Further, promoting mastery-orientation will likely help students transition to law practice more effectively.\textsuperscript{113} Mastery goal orientation has been shown to help students achieve success across challenging transitions.\textsuperscript{114} New attorneys face significant professional challenges each day when they begin to apply the skills they learned in law school in a real life context. How do we want our students to respond to these challenges? One young attorney had the following advice: Face Your Challenges. She explained:

Young attorneys, especially, encounter some of their greatest fears on a daily basis. When a young attorney (a rookie if you will) is presented with a directive whether it is from a client, a boss or a judge, this can be one of the most daunting events of their young professional life. . . A person chooses to look at the task as

\textsuperscript{109} Midgley, et. al., Achievement Goals, \textit{supra} note 1, at 26.
\textsuperscript{110} Id.
\textsuperscript{111} Id.
\textsuperscript{112} Id.
\textsuperscript{113} See, e.g., Stephano Moscato, \textit{Teaching Foundational Clinical Lawyering Skills to First-Year Students}, 13 \textit{LEGAL WRITING: J. LEGAL WRITING INST.} 207, 239 (2007) (describing one of the goals of clinical education which is to promote the transfer of lawyering skills).
\textsuperscript{114} Dweck, Self-Theories, \textit{supra} note at 29. Dweck describes two separate studies that followed students over the transition to junior high school. In junior high, the work becomes harder and the workload greater. More performance-oriented students showed drops in their achievement relative to their mastery-oriented peers. \textit{Id.} at 29.
an opportunity to grow and improve or as a hurdle that is just out of reach. This is not just a character test but one of endurance, experience and guts.\footnote{Erika Wirken, Commentary: Lawyers Must Face Challenges, Daily Record and the Kansas City Daily News Press *1 (September 27, 2004) (http://findarticles.com/p/articles/mi_qn4181/is_20040927/ai_n10066213) (last visited on August 4, 2008).}

Examining this advice from the perspective of goal orientation theory, this attorney describes mastery-goal orientation—embracing challenges with the goal of growing and improving.\footnote{Id.} In the present study, mastery-goal orientation appeared to enhance law student success. Those law students with higher class ranks were mastery-oriented learners.\footnote{Data Summary, p. 1(on file with the author).} Acknowledging and promoting our students’ mastery learning orientations will only enhance their success---in law school and beyond.

\textbf{B. The Cost of the Law School Experience---A Loss of Self-Efficacy}

One of the most striking—and troubling results of this study was the correlation between higher class rank and lower self-efficacy. Those law students who had achieved significant academic success tended to disagree with statements that indicated high academic self-efficacy.\footnote{Id. at 7.} For example, high-ranking law students disagreed that they “[could] do almost all the work . . .” or that they could learn difficult work if they tried in law school.\footnote{Var52, “I can do almost all the work in my law school classes if I don’t give up,” is negatively correlated with class rank (r = -0.16). Further, var52 is negatively correlated with LSAT score (r = -0.17). Data Summary, p. 7 (on file with the author).} This result is surprising for two reasons: first, these results appear to contrast with prior empirical research on goal orientation where mastery orientated learning correlated to both higher self-efficacy and self-confidence;\footnote{See infra in Part II.} and second, these results seem to contradict a logical assumption that high-ranking law students would have \textit{greater} self-efficacy because of their academic success. I will discuss each of these points in turn.

First, goal orientation theory generally asserts that mastery-goal orientation produces high self-efficacy in students; performance goal orientation tends to produce lower self-efficacy.\footnote{See, e.g., Dweck & Leggett, supra note 8, at 262 (describing in Table 2 that performance goals produce debilitating factors including “loss of belief in efficacy of effort.”)} However, the results of this study seem to contradict these findings. Here, high-ranking law students—who are also those students who likely identified themselves as mastery oriented learners—appeared to fall into the same patterns that are associated with performance oriented learners—a disbelief in one’s ability.\footnote{Id.}
In her research, Dweck has called a variation of this response a “helpless” response to challenge. The term “helpless” described a students’ view of failure—the view that once failure occurs, the situation is out of their control and nothing can be done. Dweck found that while the performance oriented students spontaneously denigrated their intellectual ability, none of the students in the mastery-oriented group did so. Instead, the mastery-oriented response to challenge produced a different result. Whereas students in the helpless group blamed their intelligence when they hit failure, the students in the mastery-oriented group did not blame anything. The mastery-oriented students bumped up against difficulty, but nothing in their words or actions indicated that they thought this was anything more than a problem to be tackled. So while the helpless group had quickly begun questioning their ability (and had quickly lost hope of future success), students in the mastery-oriented group began issuing instructions to themselves on how they could improve their performance.

A different phenomenon occurred in the present study. In this study, high-ranking law students—those who were also mastery-oriented learners—appeared to doubt their own abilities in the face of challenge. Mastery-oriented law students appeared to take on a negative characteristic of performance-goal orientation—specifically, a loss of academic self-efficacy. This result begs the question: Why does legal education produce a result where mastery-oriented students take on the negative characteristics of performance-oriented learners?

The answer may be the performance-based nature of traditional legal pedagogy. Professor Ruth Ann McKinney argues that traditional legal pedagogy has a negative effect on self-efficacy. McKinney describes that we develop our self-efficacy through personal experience and through feedback within our social environments. McKinney argues that law school is a “. . . perfect laboratory for [the]development of low self-efficacy beliefs in students about tasks most of them value highly (at least when they begin their studies), as well as low self-efficacy beliefs about students’ abilities to avoid negative or painful events.” New law students, most of whom have been very successful in their prior academic careers, begin law school with great ambition. Yet McKinney describes that something happens to law students during their first year of law school that significantly lowers their academic self-efficacy. The competition and performance-based nature of law school begins to take its toll: “[Students] participate less in class, avoid their peers who appear to be excelling, begin to experience stress symptoms, and often stop reading or briefing cases thoroughly.” McKinney points out
that reading legal cases is different; the classroom environment and the Socratic dialogue are daunting and unfamiliar. Many law students experience “strong, negative physiological reactions to speaking publicly under pressure with large classes, with large numbers of students.” Law students begin to change their lives for the worse and their self-efficacy starts to erode. Further, in most traditional law classrooms, “students receive no direct feedback, and grades almost always rest on one long final exam in each course.” Students quickly begin to believe that they are no “good at, and will never be good at, “thinking like a lawyer.”

Further, legal education’s forced “curve” has an equally negative impact on students’ self-efficacy. McKinney points out that newer law students looking at their classmates begin to believe that success in impossible. In the traditional law school grading system:

. . . 90 percent of upperclass students will land below the top 10 percent of the class. Many upperclass students are extremely upset by their class rank and are often preoccupied with its impact on their job choices - to the detriment of their interest in class. Thus, it would be difficult for students to hold on to a belief that they will succeed in light of watching so many of their more experienced peers reel from perceived failure.

The lack of feedback from professors is equally problematic. McKinney explains

Again, the very structure of law school inhibits the development of high self-efficacy in our students. Throughout most of the semester, concrete individual feedback is not to be found. Evaluation of academic performance is almost always restricted to a grade placed on one exam in each class per semester.

The results of the present study support McKinney’s assertions. In this study, high ranking law students also had lower self-efficacy. There seems to be a cost to legal education---a loss in the belief of one’s abilities. Although there are many reasons to reform legal education—this particular finding may be one of the most important reasons why we need to decrease the performance-based goal structure of law school. This next section will describe how we might reform legal education to promote mastery-goals and decrease legal education’s reliance on performance goals.

134 Id.
135 Id.
136 Id.
137 Id.
138 Id.
139 Id.
140 Id. In addition, there are other reasons for concern. Research has shown that low self-efficacy about one’s ability to reach a valued goal leads to sadness. Id. at 245. Similarly, to the degree that students experience significant negative consequences as they struggle to develop this new skill (e.g., embarrassment in class, receipt of grades they perceive to be unacceptably low, loss of a balanced life due to the time demands of studying, rejection in the job market) that they feel ill equipped to avoid, they will also be anxious. It is no wonder law school has been called “the dark night of the soul.” Id. at 245-246.
C. Reforming the Law School Curriculum: Promoting Mastery Goals and Decreasing Performance Goals

In the present study, the law students who approached their studies with a mastery goal orientation were more successful despite law school’s emphasis on performance-based learning. Even with the performance pressures of high-stakes testing, class rank and peer competition, those law students who approached law school with the goal of becoming competent in their profession were more successful.

There is compelling evidence to suggest that students’ “achievement goal orientations, motivational beliefs, affect, and performance are at least partially determined by the goal-related messages present in the achievement or learning context.” Although students in any given classroom will vary in their perceptions of the classroom goal structures, there is little doubt that teachers’ approaches to instruction, classroom and curricular policies and even student norms can and do influence the personal goals that students pursue in the classroom.

What ramifications does this research have for legal education? In my opinion, every step we take towards promoting mastery-oriented learning in legal education enhances our students’ learning in law school and their future professional lives. Our students’ loss of self-efficacy as they proceed through law school may be a significant and real cost to our students—and their future clients. Yet it is also something we have the power to change.

What do we want to promote in legal education? Do we want to promote high scores on law school exams or in depth learning? Do we want to encourage memorization of rules and test-taking strategies or do we want to support comprehension and synthesis? Do we want to promote competition among our students or do we want to promote collaboration and knowledge-sharing? The time for change in legal education has never been more appropriate than now.

The Humanizing Legal Education Movement has taken on many of these issues. Barbara Glesner Fines points out that to “humanize” means to “make more humane” or “give a human character to.” She argues that law schools should “identify negative

141 Data Summary, at 1-2 (on file with the author).
142 Midgley, supra note 1 at 41.
143 Id.
144 Id. at 46.
stressors in the law school environment, reduce or eliminate those as much as is possible, and help the students to manage those that cannot be eliminated.” Second, law professors should focus on teaching students rather than on teaching subjects. In essence, we need to promote mastery-oriented learning.

If we are serious about legal education reform then there are several things law schools could do in order to decrease the performance-orientation in law schools. First, law schools need to eliminate the mandatory curve, particularly during the first year of law school. Minimally, the curve increases competition and devalues learning over performance. Second, law schools need to provide students with multiple assessment opportunities, i.e., students need to receive more feedback than one exam grade per semester.

In addition, legal education needs to value and utilize collaborative or cooperatively learning experiences more than it currently does. Consider two examples of programmatic reform suggested by Professor Michael Hunter Schwartz: (1) student-structured study groups and (2) self-regulated learning curricula. Schwartz recommends placing students in small, closely-supervised, structured study groups, and having groups meet several times a week to study for class and prepare for examinations using cooperative learning principles. Cooperative learning is not simply telling students, “Go work amongst yourselves.” Rather, it involves carefully structuring learning experiences designed to be completed using a specific cooperative learning technique. This takes extensive planning on the instructor’s part—and it also requires the support and funding by the law school for additional faculty. However, research on the effects of such groups suggests that all students not only learn more and learn better in study group settings, but also feel better about their learning, have higher self-esteem, are more tolerant of differences among their peers, and, have better psychological health. Schwartz also advocates training law students to be self-regulated learners because it boosts students' sense of autonomy and their feeling of autonomy support from

146 Glesner Fines, Fundamental Principles, supra note 145, at 314.
147 Id. at 314.
148 See Glesner Fines, Competition, supra note 13 at 879.
149 Id.
150 Id at 879-881; see also, McKinney, supra note 90 at 237.
152 Id. at 243.
153 Id. at 243.
154 Id. at 243, n. 57.
155 Id. Schwartz describes an exercise called “write-pair-share” (in which students individually write an analysis of a problem, then compare their analysis with one other student and try to reach a consensus, and then the pairs compare their analyses and try to reach a group consensus) or “pass the problem” (in which the students in the group all read a problem and then work sequentially on answering it with each student being responsible for his or her own portion and for looking over everyone else's portion). Id.
156 Id. at 242 (citing Carole J. Buckner, Realizing Grutter v. Bollinger's “Compelling Benefits of Diversity”-Transforming Aspirational Rhetoric into Experience, 72 UMKC L. Rev. 877, 924-27, 929)(2004)).
their law schools and their sense of competency. Because law students take control over their learning process and increase their self-efficacy for learning, they are more likely to focus on mastery of the material rather than on performance or grades. These skills can be taught. But it takes a large-scale commitment on the part of law schools to recruit and hire faculty that are “teachers” as well as scholars.

This study also suggests that legal education needs to reevaluate its commitment to skills programs. Minimally, the results of this study illustrate the power of skills classes, both in terms of a predictor of law school success and in terms of the acquisition of mastery skills that enhance student success. In this study, Lawyering Skills Grade was the strongest predictor of law school success. Further, Lawyering Skills grade correlated to a higher tendency toward mastery-goal orientation. These results suggest that students learn something unique and important in skills classes that enhance and contribute to their overall success in law school. It is time for legal education to end its institutional arrogance towards skills and to promote and equalize the teaching of skills within the law school curriculum.

Economics are probably the biggest hurdle to legal education reform. Yet the results of the current study illustrate that there are costs to law students and to society as a whole if legal education remains in its current performance-based goal structure. Although legal education will continue to turn out “successful” law students—in the sense that the students did well in law school, we might also be graduating lawyers who lack the self-efficacy to competently practice law. In this sense, legal education may have another incentive for reform—its responsibility to society to produce competent future lawyers. If legal education is serious about its mission to produce competent lawyers, it needs to reevaluate how it educates its law students and consider significant reform.

D. The Power of the Law Professor: Creating a Mastery Oriented Classroom

158 Id. See also, Michael Hunter Schwartz, Expert Learning for Law Students, chs. 1, 4-8 (2005).
159 Data Summary, p. 1 (on file with the author).
160 Data Summary, p. 1-2. There was a (weak) positive correlation between Lawyering Skills Grade and the dichotomous variable used to measure mastery goal oriented learners, suggesting that those who have higher Lawyering Skills Grades are more likely to be mastery-oriented learners when compared to those who have lower Lawyering Skills Grades.
161 See, e.g., Jill J. Ramsfield, Legal Writing in the Twenty-First Century: A Sharper Image, 2 Legal Writing: J. Legal Writing Inst. 1, 17 (1996)(describing the salary differences between skills professors and doctrinal professors). These results also support the call from the Carnegie Foundation to reform legal education by placing doctrine in context with skills. The study called for substantial reform within legal education, including more skills instruction and better teaching overall. "The dramatic results of the first year of law school's emphasis on well-honed skills of legal analysis should be matched by similar skill in serving clients and a solid ethical grounding," the authors note. "If legal education were serious about such a goal, it would require a bolder, more integrated approach." See Carnegie Foundation website at http://www.carnegiefoundation.org/news/sub.asp?key=51&subkey=2152 (last visited on July 12, 2008).
162 Glesner Fines, Fundamental Principles, supra note 145 at 324 (describing the hurdles to legal education reform specifically with regard to humanizing legal education).
Even if legal education is slow to revise its performance-based curriculum, individual law professors can create mastery-oriented classrooms with relative ease. Research in achievement goal theory suggests that when students perceive that their classrooms or schools emphasize understanding, improvement, and mastery of knowledge and skills, they are more likely to use effective learning strategies and feel better about themselves than if performance is the only thing that counts.\textsuperscript{163}

One study found that mastery or performance oriented classrooms can emerge “from the ways that teachers use time in their classrooms; distribute authority; recognize, group and evaluate students; and design classroom tasks.”\textsuperscript{164} Further, the study found that a teacher’s overall classroom structure impacted students’ motivation to learn.\textsuperscript{165} For example, a performance orientation emerged when teachers implicitly or explicitly promoted the idea to students that proving their abilities relative to classmates is what is valued, expected and rewarded.\textsuperscript{166} Some examples of performance goal structures within a classroom were ability grouping within a class, rewards for superior achievement, public evaluative feedback and one-dimensional tasks in which student-to-student comparisons were easy to make.\textsuperscript{167} When one considers the typical law school classroom, it fits directly within a performance goal structure. The Socratic dialogue is an example of “public evaluative feedback” (the professor/student dialogue in front of the classroom), and student-to-student comparisons are made all the time with published class rankings. Law schools promote competition between students---in the form of the scarcity of interviews, clerkships and jobs---students are inundated with messages that they must “prov[e] . . . their abilities relative to classmates.”\textsuperscript{168}

A mastery-oriented classroom is quite different. In a mastery-oriented classroom, the teacher promotes the idea that students progressively master content and improve skills through hard work.\textsuperscript{169} Research has shown that professors can accomplish this by providing meaningful tasks, acknowledging student effort and improvement, using nonpublic formative and summative feedback, and providing opportunities for revision of work.\textsuperscript{170} Applying these examples to the law school classroom, legal educators might consider holding small group conferences, providing feedback several times throughout the semester, utilizing practice exams, and allowing for collaborative learning activities. Many of these examples are already utilized in skills classes and/or clinical experiences but they can be used effectively in larger classrooms as well.\textsuperscript{171}

Professor Glesner Fines, an expert in legal pedagogy, encourages law faculty to improve teaching and learning by avoiding the temptation to fall into an “extrinsic” or

\textsuperscript{163} Midgley, supra note 1, at 34.
\textsuperscript{164} Id. at 208.
\textsuperscript{165} Id.
\textsuperscript{166} Id.
\textsuperscript{167} Id.
\textsuperscript{168} Id.
\textsuperscript{169} Id.
\textsuperscript{170} Id.
\textsuperscript{171} See generally,
performance goal orientation. She recommends that legal educators teach toward an intrinsic motivation---which benefits not only the students, but the professor as well.

If we approach our teaching with an extrinsic motivation, not only will our own performance as teachers suffer, but we will also provide a poor role model for students. Does our teaching reflect reluctance to engage with students? Are we excited about guiding students in their learning? . . . If we set and strive for high goals for teaching effectiveness and craft our own teaching packages so as to maximize our own enthusiasm in teaching, we will not only make our jobs more satisfying but we will model the intrinsic orientation toward learning and professionalism that we would desire in our students.

Professor Glesner Fines ends with an important reminder: do not allow the grading system to control teaching or evaluation---“grading should flow from course objective and instructional strategies, not vice versa.” This section will end with three simple teaching suggestions that can help legal educators work toward building more mastery-oriented classrooms.

1. **Have Your Students Provide Feedback About the Effectiveness of the Class.** I have personally done this in my classes and have been surprised at how helpful it has been. I give the students a sheet of paper with 2 or 3 specific questions about the course content—and room for comments. In a few minutes at the beginning of a class, students can comment upon confusion, ask for clarity, or provide creative suggestions. The students feel they have some “say” in the class content and they see that I genuinely care about whether they are learning.

2. **Use the Students as Teachers.** Consider having your students provide class introductions that link past content with present content. Professor Michael Hunter Schwartz, an expert on law school teaching, states that “[e]xcellent teachers facilitate student learning by getting the students to make connections between what they are learning and what they already know.” He describes a strategy of devoting a few minutes at the beginning of a class session to have a student to provide a summary of what the class covered during its last

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172 Glesner Fines, *Competition, supra* note 13 at 911.
173 *Id.*
174 *Id.* at 911-12.
177 Schwartz, *Humanizing Legal Education, supra* note 151, at 245
Schwartz notes that both professor and student gain from this experience; this simple exercise “not only accomplish[es] the goal of providing the necessary review, but can also do so while providing autonomy support and supporting students’ sense of competence.”

3. **Utilize Collaborative Learning.** Collaborative learning is a powerful pedagogical method. Prior research has shown that student learning is enhanced when students work in collaboration with others. Using smaller groups (3-5 students) allows more students to participate in discussions---it also adds to the amount of personal attention students receive because they can receive feedback and support from other students. In my own classes, this has worked particularly well when I can assign different discussion questions to small groups. I have each group answer one or two main questions---by the time each group discusses a question, the class has discussed and applied a major part of the content for that day’s class.

There are many ways that law professors can create mastery-oriented classrooms that are creative and time-efficient. The main point is to try---these techniques benefit the strong students and will support and encourage their success. Perhaps more importantly, however, these techniques will benefit the weaker students as well---by allowing opportunities for feedback, discussion and active learning. The students who might struggle more in a traditional legal classroom will thrive more in a mastery-oriented classroom.

**E. The “High Stakes” LSAT---A Weak Predictor of Success**

The results of this study also suggest that legal education reconsider the weight it gives to a single test score: the LSAT. In this study, the LSAT was the weakest predictor

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178 Id.
179 Id.
182 Riebe, supra note 177, at 331-332.
183 I often use collaborative learning for the second half of a class period—within a two hour block of time. In the first hour, I lead a discussion of the main topic for the day. In the second part of the class—I try to utilize more active learning strategies, including small group collaboration. It does take class time but I’ve found that the students benefit a great deal from the discussion. I also walk around the classroom talking to each group as they discuss the questions. I can guide the discussions, gauge their understanding and answer questions at the same time—which provides the added benefit of fewer email/office questions after class. For additional discussions of teaching ideas, see Leah M. Christensen, *The Psychology of Case Briefing: A Powerful Cognitive Schema*, 29 Campbell L. Rev. 5, 20-26 (2006); Leah M. Christensen, *Legal Reading and Law School Success*, 30 Seattle L. Rev. 603 (2007)(discussing that we can teach law students the reading strategies that the most successful law students use); Leah M. Christensen, *Law Students Who Learn Differently: A Narrative Case Study of Three Law Students With Attention Deficit Disorder (ADD)*, 21 J. L. & Health 45, 72 (2008) (describing ideas for teaching law students with ADD).
of law school success.\textsuperscript{184} The relatively weak correlation between the LSAT score (0.23) and class rank as compared to the stronger correlation between Lawyering Skills Grade (0.57) and class rank suggest that the LSAT may not be a reliable predictor of success in law school.\textsuperscript{185} Further, even UGPA (0.46) was a stronger predictor of success in law school than the LSAT (0.23).

The Law School Admissions Council (LSAC) rates the overall predictability of the LSAT score at 0.40.\textsuperscript{186} LSAC claims that their own research supports the use of the LSAT as a major factor in admissions, claiming that the median validity for LSAT alone is 0.41 (2001) and 0.40 (2002) with regard to the first year of law school.\textsuperscript{187} Although the correlation varies from school to school, LSAC argues that test scores are far more strongly correlated to first year law school performance than undergraduate GPA.\textsuperscript{188} The present study seems to contradict this claim. In this study, UGPA had a stronger correlation to class rank (0.46) than LSAT score (0.23).\textsuperscript{189} Further, Lawyering Skills Grade (0.57) had a stronger correlation than either LSAT or UGPA. In this study, Lawyering Skills Grade was the best predictor of law school success.\textsuperscript{190}

There have been many studies that have questioned the credibility of the LSAT and the results of this study are consistent with that prior research.\textsuperscript{191} For example, Professor Lani Guiner and others found that the LSAT was an especially weak predictor of law school success for females at the University of Pennsylvania.\textsuperscript{192} Guinier showed that the predictive validity for the University of Pennsylvania Law School first-year class was only 0.14.\textsuperscript{193}

In a more recent study, Professor Ann Enquist examined whether LSAT scores correlated to success in a Lawyering Skills II class. Enquist’\textquotesingle s study followed six second year law students as they wrote a pre-trial and appellate brief in their second year skills class.\textsuperscript{194} Enquist found that with regard to these six students, there was a weak

\textsuperscript{184} Using a Pearson correlation, there was a correlation of 0.23 between LSAT and class rank. Data Summary, p. 1.

\textsuperscript{185} In examining correlations, the closer to 1.0 of a score---the stronger the relationship between the criteria. See discussion infra at n. 103-104.


\textsuperscript{187} Id.

\textsuperscript{188} Id.

\textsuperscript{189} The LSAT score had a weak correlation at 0.26; the closer to 1.0 of a score, the stronger the relationship between the criteria. Data Summary, p. 1. (on file with the author).

\textsuperscript{190} In a separate paper, I discuss why Lawyering Skills grades is the best predictor of success in a companion article. See Leah M. Christensen, The Power of Skills (Or in Other Words, It\textquotesingle s Time to Take Skills Training Seriously If We Care About How Our Students Learn)(forthcoming).

\textsuperscript{191} See infra at n. 104.

\textsuperscript{192} See Lani Guinier et al., Becoming Gentlemen: Women\textquoterights Experiences at One Ivy League Law School, 143 U. PA. L. REV. 1, 23 n.70, 27 n.74 (1994).


\textsuperscript{194} Ann M. Enquist, Unlocking the Secrets of Highly Successful Legal Writing Students, 82 ST. JOHN\textapos;S L. REV. 609, 668 (2008).
correlation between LSAT scores and Lawyering Skills II grades. This finding is particularly relevant to the present study given the strong correlation between Lawyering Skills Grade and class rank. Enquist explained her results as follows:

While we may have suspected that LSAT scores and undergraduate GPAs would be good predictors of academic success in a second-year legal writing course, those scores and undergraduate GPAs had little, if any, predictive value for the six students in the study. In fact, the student with the lowest undergraduate GPA had the highest level of success in LWII. Far better predictors were the students' grades in the first-year legal writing course and especially their overall first-year grades in law school.

I found similar results when examining the reading strategies of the most successful law students in a study on legal reading strategies as a predictor of law school GPA. While the use of reading strategies correlated to law school success, there was no correlation between LSAT scores and law school GPA.

Further, in the present study, law students who scored higher on the LSAT were more likely to be performance oriented learners and not mastery oriented learners. And in this study, mastery goal orientation correlated to law school success whereas performance orientation did not. If the LSAT is selecting performance oriented learners over mastery-oriented learners, is the LSAT selecting students who will be more successful? Although we cannot know what actually causes the relationship between LSAT and performance-orientation or between class rank and mastery-orientation, the study results do offer another perspective from which to critique the LSAT exam.

The real danger of the LSAT is legal education’s almost exclusive reliance on the LSAT for admissions and scholarship decisions. And this cycle is only exacerbated by the use of the LSAT in the law school rankings “game.” Based upon the present research and the prior studies that have questioned the reliability of the LSAT, legal education should seriously reconsider its use and reliance upon the LSAT. In the remaining part of this section, I make three arguments for reform with regard to the LSAT: first, that law school admissions rely on something broader than the LSAT scores of its applicants; second, that law school ranking institutions (U.S. News & World

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195 Id. at 668.
196 Id. at 668-69.
197 Leah M. Christensen, Legal Reading, supra note 180 at 626-27.
198 Id.
199 See discussion infra section II; see also Data Summary, p. 1-2.
201 Correlations explore associations, but they cannot tell us “causation” between variables. See discussion of correlations, infra at n. 99.
203 Phoebe A. Haddon and Deborah W. Post, Misuse and Abuse of the LSAT: Making the Case for Alternative Evaluative Efforts and a Definition of Merit, 80 ST. JOHN’S L. REV. 41, 45-46 (2006).
204 Although I know that admission committees look at other variables, I also believe that they tend to give significant weight to the LSAT score.
Report) need to stop using a school’s median LSAT score as a proxy for quality of the law school; and third, that the Law School Admissions Council (LSAC) revise the LSAT to encompass the broad array of skills needed for success in law school.

First, admissions committees need to broaden the criteria they use in admissions decisions. By examining criteria in addition to the LSAT score (and in addition to the UGPA as well), law schools will be able to more accurately gauge their future students’ skills and strengths---qualities that are not reflected (or effectively measured) on the LSAT exam. And law faculty and administrators have the power (and the responsibility) to make these changes in their policies with regard to the LSAT:

Law school administrators and law faculty are responsible for policies that determine who will attend law school. The subject of admissions standards or criteria is vitally important to the legal community and the decisions faculty and administrators make about admissions criteria have important consequences for a much wider community. Over the past several years, particularly since the creation of a ranking system for law schools by U.S. News & World Report, the LSAT has become a symbol deployed by law schools in the competition for prestige, status, and applications. There has also been growing dissatisfaction with the LSAT and with the way it is used.

Second, U.S. News & World Report (and other ranking institutions) should place less weight on LSAT scores as a proxy for law school quality. U.S. News & World Report claims to rank law schools for the benefit of consumers—so that future law students can make educated choices about which law schools to attend. Critics point out that the method U.S. News & World Report uses to rank law schools has also encouraged law schools “to play a numbers game to maintain their competitive edge.” Law schools wanting to boost their rankings can admit students with higher LSAT scores as a “quick-fix method of raising the median LSAT just a few points.” A higher median LSAT means that the school might move up in competitive ranking of U.S. News & World Report. While organizations have criticized both the U.S. News and law schools for such manipulations, there is no doubt that the ratings are still followed.

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205 Haddon & Post, supra note 200 at 45-46. The authors also point out that The LSAC cautions that “[c]ut-off LSAT scores (those below which no applicants will be considered) are strongly discouraged.” Law Sch. Admission Council, supra note 11, at 56; see also Philip D. Shelton, Admissions Tests: Not Perfect, Just the Best Measures We Have, 47 Chron. Higher Educ. B15 (2001) (“[T]he LSAT must be used appropriately. It was never meant to be the only factor that law schools consider, and it should not be given so much weight that it is effectively the sole factor.”). Id. at n. 34 (citing Law Sch. Admission Council, Law School Admission Reference Manual 2005-2006 16, 56 (2005)).

206 Haddon & Post, supra note 200, at 67.

207 Id. at 98.

208 Id.

209 Id. The authors point out that this was one of the questionable practices discussed by Dale Whitman, former president of the AALS, using hypotheticals drawn from reported practices at particular law schools. Id., n. 60 (referring to Dale Whitman, Presidents’ Messages: Doing the Right Thing, AALS Newsletter (Ass’n of Am. Law Sch., Washington, D.C.) Apr. 2002, available at http://www.aals.org/presidentsmessages/pmapr02.html; see also Stephen P. Klein & Laura Hamilton, Ass’n
And the real tragedy is that the LSAT score---upon which U.S. News and World Report so heavily relies---may not accurately reflect the aptitude or achievement of the students that take the exam. It is time for ranking institutions to reevaluate their reliance on the LSAT.

Finally, it is time for LSAC—the institution that creates and administers the LSAT---to seriously consider revising the exam to more accurately reflect the full range of skills required to succeed in law school (and in the practice of law). The LSAT claims to assess logical reasoning, analytical thinking, reading comprehension, and other cognitive skills. "Admittedly these skills are useful in navigating through some of the first-year law school curriculum, but certainly there are other skills that are important to success in law school and the profession-- skills that can be said to distinguish the good lawyer." This seems particularly true based upon the results of the present study—where Lawyering Skills Grade was the best predictor of law school success. Certainly the multitude of skills a new lawyer needs includes more than analytical reasoning and reading comprehension--skills that the LSAT tests most heavily. It is time for an alternative to the LSAT which would include questions that test other qualities or skills that make a good lawyer. Minimally, the results of the present study should caution law schools and ranking institutions from relying too heavily on the LSAT as a predictor of law school success.

CONCLUSION

Achievement goal theory is one way to examine the motivational orientations of our students, and it can explain significant differences in students’ patterns of learning and achievement. The present study used achievement goal theory to examine the goals of the most successful law students. The study found that mastery-oriented law students...
tended to be the students at the top of their law school class despite the performance-based goal structure of law school. The study results also showed the relative weakness of the LSAT as a predictor of success in comparison to other academic variables, including Lawyering Skills Grade and UGPA. In addition, the study uncovered a hidden cost of law school—a decline in the self-efficacy and self-confidence of our most successful students. The performance-based goal structure of legal education takes something away from our students—their belief in themselves.

My vision for legal education is a structure and curriculum that focuses more on learning goals than on performance goals. I envision classes that value and incorporate professional skills with doctrine and ethics, and classes that stress competence over performance. The curriculum as a whole would emphasize knowledge accrued over time versus knowledge accrued quickly for an exam—and then forgotten. This type of curriculum would prepare our students well for the future---our students would face challenges instead of shrink away from them. Our students would believe in themselves and their abilities instead of doubting what they can accomplish as lawyers. As law professors, our mission is to equip the next generation of lawyers with the tools they will need to practice law competently and professionally.

Are we willing to make that commitment to help our students reach their potential?