

CASE STUDY

FROM ADMISSION TO BAR PASSAGE: EXTENDING A HELPING HAND TO STUDENTS AT ST. MARY'S UNIVERSITY SCHOOL OF LAW

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The publication of Professor Robert Steinbuch’s Article, *Looking Through the Class and What Alice Found There: A Frustrated Analysis of Law School Admissions Policies and Practices*,¹ provides an excellent opportunity for us to tell the story of a little known alternative admissions program at St. Mary’s University School of Law, the Summer Skills Enhancement Program (SSEP), and the current academic support opportunities offered at this institution.²

I. SUMMER SKILLS ENHANCEMENT PROGRAM

A. *History and Mission*

With assistance,³ the SSEP was established more than twenty years ago to “create[] an opportunity for a very limited number of applicants, who otherwise might not be admitted, to gain acceptance, at the same time that it helps them prepare for the rigors of legal education.”⁴ Acceptance into the SSEP does not guarantee acceptance into St. Mary’s University School of Law.⁵

1. 14 SCHOLAR 61 (2011).

2. Currently, the Office of Academic Support (OAS) provides students with opportunities to obtain the skills necessary to succeed in law school and on the bar exam. In August 2011, the OAS changed names to the Office of Academic and Student Affairs as part of an effort to serve the “whole” student.

3. Charles E. Cantú, now Dean and South Texas Distinguished Professor of Law, is a former member of the Law School Admissions Council and has been teaching at St. Mary’s University since 1966. He helped to establish the first SSEP.

4. *Programs of Study: Summer Skills Enhancement Program*, ST. MARY’S SCHOOL OF LAW, <http://www.stmarytx.edu/law/index.php?site=programsOfStudy#summerSkills> (last visited July 27, 2011).

5. *Id.*

B. *Selection Process*

To gain admission into the SSEP, an applicant must first apply through the main application process.⁶ At the time the applicant submits an application, he or she may request consideration for the SSEP.⁷ An applicant will only be considered for the SSEP if they are not a direct admit.⁸ The law school admissions committee may also recommend a particular applicant's file for possible acceptance into the SSEP.⁹ Ultimately, the director of the SSEP makes the final decision regarding each applicant's acceptance into the program.

The SSEP determines admission or denial by looking beyond GPA and LSAT scores to the proverbial "whole person." The SSEP selection process stands in agreement with Professor Steinbuch, as stated in his Article:

There are numerous reasons students may have artificially depressed scores that don't reflect these students' future potential. For example: a traumatic event affecting his or her LSAT exam; now-resolved medical issues when in college; or an environment or history temporarily interfering with his or her performance.¹⁰

This is not to say that GPA and LSAT criterion are irrelevant. There is indeed a correlation between GPA/LSAT score and success in law school;¹¹ however, the SSEP considers other indicators, as well. Through a rigorous summer program, members of the SSEP team are able to evaluate potential students, who would have been overlooked in the regular admissions process, and determine entry into law school based upon factors including, but not limited to: aptitude, dedication, and work ethic—or in other words, the holistic individual.

C. *Structure of Program*

The program director and another professor teach the one-month Summer Skills Enhancement Program. Assisting both the director and professor are several teaching assistants, all of whom successfully completed

6. *Id.*

7. *Id.*

8. *Id.* A "direct admit" is a law school applicant who gains acceptance through the regular applications process.

9. *Programs of Study: Summer Skills Enhancement Program, supra* note 4.

10. Robert Steinbuch, *Looking Through the Class and What Alice Found There: A Frustrated Analysis of Law School Admissions Policies and Practices*, 14 SCHOLAR 61, 77 (2011).

11. LAW SCH. ADMISSIONS COUNCIL, LSAT SCORES AS PREDICTORS OF LAW SCHOOL PERFORMANCE (n.d), available at <http://www.lsac.org/jd/pdfs/LSAT-Score-Predictors-of-Performance.pdf> (last visited July 27, 2011).

the SSEP and are current law students. The program is divided into two components: a traditional law school course surveying various first-year topics taught in the Socratic method and a legal writing course. The director of the program teaches the survey course while the professor teaches the legal writing course. This structure results in each applicant's exposure to two different law professors and the two primary skill sets required to succeed in law school—legal analysis and legal writing.

D. *The Director's Survey Course*

The Director's Survey Course is meant to teach the skills necessary to handle the average law school classroom and exam experience. The director implements the Socratic method, requires daily written case briefs, and administers both a midterm and final examination. On day one, the director distributes the syllabus and course materials. He also requires each applicant to speak for a full minute in response to a randomly drawn question. The following day, the director introduces the applicants to legal research and describes how to use the various reporters. Each day, the director assigns several briefs to the applicants, which are due the next morning on a strict deadline. The teaching assistants (TA), in turn, review the briefs each evening, and return the briefs with comments to the students the next morning. While in class, applicants must analyze each case fully through the Socratic method. The TAs observe class, comment on each brief, provide individualized feedback, and hold office hours. If an applicant performs poorly, the director and the applicant's TA will meet with the student and provide advice to help the applicant improve performance. The director, the professor, and the teaching assistants hold a conference with each applicant immediately after the midterm assuring that every applicant knows exactly how he or she is performing.

E. *The Law Professor's Legal Writing Course*

The Law Professor's Legal Writing Course is designed to teach the skills necessary for effective legal writing. The professor for this course assigns daily writing assignments focusing on legal writing skills, and to a lesser degree, legal substance. These assignments are due each morning on a strict deadline. As with the other course, the TAs grade the assignments and provide individual feedback, including corrections, on a daily basis. In addition to these assignments, the students are assigned cases, which are analyzed in class using the Socratic method. They are also given two mid-semester exams and one final exam.

F. *The Exit Interview*

Following the administration and review of each final exam in the program's two components, the program concludes with an individual exit interview. The director, the professor, all TAs, a representative from the Admissions Office, and the two associate directors of the Office of Academic Support attend each interview. During this interview, the director offers admission into the first year class to each applicant who performed or improved to a level that shows promise to succeed in law school. If the director denies an applicant, that applicant is rarely surprised due to the constant feedback provided throughout the program. Indeed, beginning with the call to the prospective SSEP student to participate in the program, the director takes great efforts to communicate to the prospective student that the exit interview will not have any surprises, as each student will clearly understand how he or she has performed in the program prior to the exit interview.

Each of these students enters the SSEP with low performance indicators, but through the SSEP they learn the skills necessary to succeed in law school. However, the SSEP involves constant individualized feedback and one-on-one attention that does not exist in the traditional 1L experience. Therefore, it is not enough to simply admit SSEP students into law school. These students "require greater investment from the school to address the non-merit causes of their disparate scores."¹² For this reason, and in agreement with Professor Steinbuch's Article, the skills-based academic support continues for the SSEP students.

II. ACCEPTANCE AND PARTICIPATION IN LAW SCHOOL

First, the admission letter sent to each SSEP participant contains language stating that by accepting the offer for admission into the entering class, the student agrees to participate in any additional meetings, workshops and/or activities. At minimum, the director requires all SSEP students to attend several mandatory skills-based workshops during their first year. Many SSEP students are required to attend periodic meetings with the Office of Academic Support to review course outlines, streamline study habits, and perfect skills including briefing and exam writing. While there is no guarantee that all SSEP students will survive the first year of law school, the Office of Academic Support provides the tools needed to improve their chances of success.

The overall success of the SSEP is best exemplified by these students successfully completing the program and continuing on to make dean's list, serve on law review, win pro bono awards, participate in our award-

12. Steinbuch, *supra* note 10.

winning clinical program, hold leadership positions within student organizations, and work in private and public interest settings. Thus, SSEP students are not marginalized students, whose participation is tangential or peripheral to the law school community. Rather, these students are fully integrated and integral components of our student body. Indeed, both authors of this Case Study successfully completed the SSEP, gained admission to St. Mary's University School of Law, graduated on time, practiced law, and now work in the Office of Academic Support.

III. THE OFFICE OF ACADEMIC SUPPORT

While the program director requires SSEP students to attend workshops and programming during the first year, the Office of Academic Support (OAS) offers a variety of services to all students, including SSEP students. The OAS provides skills-based services to all law students ranging from students on the dean's list to students in the bottom quartile of the class.

A. *Structure*

The OAS consists of four staff members, each of whom serves a distinct role. The director of Academic Support teaches a for-credit bar preparation course and oversees the general programming of the office. There are two associate directors in the Office of Academic Support. One is primarily responsible for 1L programming while the other focuses on upper level and graduate bar exam preparation and support. The two associate directors are the co-authors of this Essay. The OAS administrative assistant supports the director and both associate directors.

B. *1L Programming*

The OAS offers a Summer Academy to all incoming 1Ls. The Summer Academy provides an introduction to law school where students learn to read legal materials, brief cases, participate in class, and organize and apply legal knowledge. This is a voluntary one-day course which is offered prior to the fall semester.¹³ Following the Summer Academy, the OAS participates in the two-day first year orientation. On the first day, the OAS presents a brief introduction to the office describing the various services provided to students. On day two, the OAS presents a lengthy lec-

13. For the summer of 2011 students are provided with the opportunity to attend the day directly preceding 1L Orientation or the weekend prior. *Admitted 1L Students*, ST. MARY'S SCHOOL OF LAW, <http://www.stmarytx.edu/law/index.php?site=programsOfStudy#summerSkills> (last visited July 27, 2011).

ture on the basic skills necessary to succeed in law school including briefing, class preparation, and class participation.

Throughout the fall semester, each 1L student is assigned an academic scholar. Academic scholars are upper level students selected for the role through an application process. The associate director of academic support in charge of 1L programming supervises the academic scholars. The associate director provides the academic scholars with weekly programming materials from which the academic scholar teaches basic academic skills in group sessions. Each session correlates with the skills most immediately necessary for a particular time in the semester. The first several sessions include lessons in briefing, class participation, and outlining. Later in the semester, the academic scholars teach methods of exam preparation, methods of reflection on midterms, and end of semester time management skills.

Also, the OAS provides a series of workshops throughout the fall and spring semesters. The director and associate directors of Academic Support teach several of these workshops. During the first week of class, the OAS offers a workshop providing a complete overview of recommended study habits for the fall semester. Also, this workshop focuses heavily on briefing and class preparation. Several weeks into the semester, the OAS holds a workshop on outlining, a workshop on creating a detailed study schedule, and a workshop on teaching time management skills. During the spring semester, the OAS holds an "Introduction to the Texas Bar Examination" workshop which introduces 1L students to the format and subjects covered on the exam. The OAS holds other workshops in the format of professor panels. At these panels, several professors provide lectures and question/answer sessions related to a particular substantive subject or exam preparation. The OAS chooses which substantive subjects to cover in the professor panel format making the decision based on student need and concern, while always offering a general exam preparation panel. Some of these materials are recorded for later placement on the internet, making them readily accessible to students at any given time.

Early in the spring semester, the OAS teaches a non-credit fundamental skills workshop open to all 1Ls but mandatory for 1Ls in the bottom quartile of their class. This four week workshop reinforces the skills necessary to succeed in law school while attempting to create a relationship between the OAS and students who have not sought help in the fall. 1Ls who have sought the help of the OAS in the fall receive the value of the large group perspective providing ideas and feedback from peers. Each session focuses on a different skill set beginning with briefing and ending with exam preparation. The OAS assigns homework each week and provides individual written feedback to all participants.

The OAS offers course advising in the spring semester to all 1Ls. Course advising is mandatory for all 1Ls in the bottom quartile of the class. During these appointments, the associate directors of the OAS help prevent students from the common mistakes often made during the first attempt at law school course registration. These mistakes include, but are not limited to: taking too heavy a course load, failing to plan according to the final examination schedule, and failing to plan ahead for course schedules for the following semesters.

Individual appointments are a major component of the support services provided to 1Ls. The OAS meets with students as frequently as once per week depending upon a student's needs and time commitments. These meetings with the associate director of academic support help the student determine which skill sets need improvement and learn methods of improving upon those skills. During the fall semester, these meetings cover basic skills including briefing, outlining, class participation, and exam preparation. During the spring semester, these meetings include individual review of fall final exams allowing for targeting of skill sets which need improvement. In the fall and spring semesters, students are able to take timed practice exams and submit course outlines for skills-based feedback.

C. Upper Level Programming

The director of the OAS teaches a for-credit bar course on a pass/fail basis. In this course, students learn tips and strategies for bar success. In addition, students take simulated exams and learn how to assess their progress. At the end of the course, students design their own bar exam study schedules, taking into account weak subjects and courses not taken in law school.

The Office of Academic Support also holds several bar preparation workshops for upper level students. While 3Ls and re-takers are highly encouraged to attend due to their proximity to the bar exam, 2Ls are more than welcome to attend these workshops to attain early exposure to the bar and learn skills that are helpful on law school final exams. Outside experts teach several of these workshops, covering skills such as essay writing and multiple-choice test-taking.

In addition, many upper level students set up recurring appointments with the OAS to take practice bar exams and continue to improve academic skills. Specifically, the OAS seeks out students on academic probation for extra help and support. In addition, the OAS invites unsuccessful bar takers to take advantage of individual appointments with a goal of assessing strengths and weaknesses and devising an individualized study plan to increase the success of bar passage on the second attempt. Ap-

pointments with unsuccessful bar takers can range from a single appointment to a series of appointments.

IV. OTHER ROLES OF THE OAS

While students approach the OAS primarily for academic problems, these academic problems are often connected to major life events taking place outside of law school. These events include but are not limited to the following examples: loss of a loved one, marital issues, financial issues, and moving from one residence to another. All of these circumstances lead to academic difficulties stemming from poor time management and high levels of stress. While the OAS does refer certain students to counseling services, these issues must still be addressed as they relate to academic success.

V. SUMMARY

Regardless of how a particular student is admitted to St. Mary's University School of Law, those admitted with low academic credentials may not succeed at this institution. Professor Steinbuch states this point well in his Article:

It also needs to be emphasized that admitting applicants with poor scores under these circumstances inevitably poses the very real cost of enrolling some students whose low scores do, in fact, reflect their actual abilities—causing harm to both these students—who have little chance of success, the other students and graduates—whose school is damaged by increased failure, and the institution—whose academic reputation is tarnished. Schools must recognize that this cost is tangible, and that it will not be offset fully even if they make the morally requisite decision to invest extra resources in at-risk students—or not admit them. But admitting them without addressing their circumstances is the most costly and unfair of all of the options.¹⁴

However, through the efforts of the SSEP and the OAS, St. Mary's University School of Law provides a substantial amount of support and effort to give these low credentialed students, and all students, the best chance to graduate from law school, pass the bar exam, and become successful attorneys. Both the SSEP and the Summer Academy focus on teaching the skills needed to succeed in law school before the beginning of the fall semester, providing all law students the opportunity to avoid starting law school without knowing how to navigate the curriculum and

14. Steinbuch, *supra* note 10, at 78.

understand case law. From the beginning of the fall semester through the end of the first year, all 1Ls are offered skills-based workshops, academic scholars, and individual appointments, all geared toward ensuring success. Recognizing that not all students will voluntarily seek the help necessary, the OAS provides mandatory help for the 1Ls who scored poorly in the fall semester through the spring fundamental skills workshop. After surviving first year, OAS continues to provide individualized academic skills support as well as bar exam preparation. Bar preparation is offered on an individual basis and through workshops to upper level students and recent graduates, alike.

Through its successful SSEP, St. Mary's University School of Law has had a long standing policy and practice of providing opportunities to applicants who have low academic indicators for success in law school. Further, St. Mary's University School of Law recognizes its responsibility to choose students who can be conditioned for success through its extensive academic programming. While the law school provides a robust offering of academic support services, it is up to the individual student to utilize these services in a manner that improves law school success. The best that any law school can do is to ensure that it does not admit students without providing every opportunity to achieve academic success.