

## Memorandum

**To:** Dean Alicia Ouellette  
**From:** Assessment Committee--Nancy Maurer, (co-chair), David Walker (co-chair), Antony Haynes, Joe Buffington, Ainsley Moloney, Keith Hirokawa, Vin Bonventre, Connie Mayer (ex officio), Katie Palmieri (ex officio), Abigail King (student), Colin Grimm (student)  
**Re:** Assessment Committee Annual Report 2020-2021  
**Date:** August 4, 2021

The following highlights activities and accomplishments of the Assessment Committee for the 2019-2021 academic years.

### **1. Assessment of Learning Outcomes**

Over the last two years, the Committee completed multiple assessments of all JD learning outcomes and made significant progress on assessment of all other programs including MSLS and LLM programs. However, much of work was delayed due to the pandemic. Our modified Assessment Plan with links to reports related to each learning outcome is attached.

#### **a. JD Learning Outcomes**

##### **1. LO#1 -- foundational knowledge**

LO 1 was assessed through bar exam result and the bar Diagnostic in 2019 and 2020 (available below).

The reports from the Director of Bar Success on bar passage show an improvement in bar passage from 2019 to 2020. In 2019, 77 out of 102 (75%) of first-time bar examinees passed the July New York bar exam. That percentage rose in 2020 when 88 out of 99 first time bar examinees passed the July 2020 New York Bar Examination. Repeat examinees also fared better in 2020. In 2019 24% of repeat examinees passed the New York Bar Exam, compared to 33% of repeat takes who passed in 2020. While there is room for improvement, our graduate bar passage rates are continually improving. That said, we are within the bar passage range required under the ABA standards.

The Kaplan Bar Diagnostic Exam Reports from 2019 and 2020 revealed that the following percentage of students scored above or as expected on the multiple-choice questions:

<b>2019</b>		<b>2020</b>	
Torts	65.5%	Torts	77.7%
Contracts	72.5 %	Contracts	77.7%

Real Property	88.7%	Real Property	85.7%
Criminal Law	61.8%	Criminal Law	67.4%
Civil Procedure	40%	Civil Procedure	39.6%

Students fared better with multiple-choice questions than essay writing though. In both 2019 and 2020, students answered a Contracts essay question and a Real Property essay question. The following percentage of students scored above or as expected on their essay answers.

2019		2020	
Contracts	48.7%	Contracts	40.4%
Real Property	61.2%	Real Property	50%

**Status:** Complete. Next assessment in fall 2021

## 2. LO#2 – written and oral communication & LO#3 – research, analysis, reasoning, and problem solving

The Committee reviewed the assessments completed for LO#2 for oral and written communication conducted during the prior year. With the completion of first year oral argument assessment, oral and written communication assessments by supervising attorneys in field placements and hybrid clinic, and review of upper level writing papers, our assessment of these outcomes is complete for this cycle.

The review of **Upper Level Writing papers** (report available below) revealed the follow competencies (competent or advanced) in regards to Learning Outcomes 2 & 3.:

Students will demonstrate the ability to write in a clear, concise, well-organized, and professional manner appropriate to the audience and context.	<b>86%</b>
All communications demonstrate the use of standard rules of grammar, spelling, and punctuation.	<b>95%</b>
Students will present a principal theme or argument concerning specialized knowledge of a particular area.	<b>75%</b>
Students will demonstrate critical legal reasoning and analysis of research material presented.	<b>69%</b>
Students will demonstrate basic legal research skills.	<b>61%</b>

The review of student **performance in clinical courses** (report available below) revealed the follow competencies (competent or advanced) in regards to Learning Outcomes 2 & 3.:

Students will demonstrate the ability to write in a clear, concise, well-organized, and professional manner appropriate to the audience and context.	72.7%
All communications demonstrate the use of standard rules of grammar, spelling, and punctuation.	86.3%
Students' work demonstrated the ability to solve legal or legally-related problems or concerns by identifying appropriate legal and non-legal recommendations.	77.2%
Students will demonstrate critical legal reasoning and analysis of research material presented.	81.8%
Students will demonstrate basic legal research skills.	90.9%

The committee noted the difference in student ability to reason and research better in a practical lawyering context than from a scholarly context. Reasons for the difference are unknown. Student research skills also faired significantly better in the practical context as well.

Members of the faculty who teach Lawyering were provided a rubric to assess student oral communication through **oral arguments** held in their courses in spring 2021. Some of those faculty members did provide assessments; some did not. Based on the cooperation the committee did receive, eighty-five students' oral arguments were assessed based on the criteria set out by the committee. The percentage of students who demonstrated competence or higher per each measure of assessment is below (report available below).

Students will demonstrate the ability to communicate orally using the language of the law and terms of art appropriate to the audience and context.	93%
Students will demonstrate the ability to speak in a concise, clear, and appropriately respectful manner.	82%
Students will demonstrate the ability to communicate orally using the standard rules of grammar when appropriate.	85%

**Status:** Complete. Next assessment in spring 2023.

### **3. LO##4,5,6 – ethical responsibility, access to justice, multicultural awareness**

In spring 2021, direct assessment of these LOs was conducted through surveys of clinic and field placement supervisors (report available below). Surveys were provided in electronic format to and were conducted separately from end of semester student evaluations required for grading purposes.

The assessments from the field placement supervisors revealed the follow competencies (competent or advanced) in regards to Learning Outcomes 4, 5, & 6:

Students demonstrates the ability to exercise proper professional and ethical responsibilities to clients and the legal system.	100%
Student demonstrates knowledge and understanding of the lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have access to our justice system.	100%
Student demonstrated an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.	100%

The assessments from the clinical faculty revealed the follow competencies (competent or advanced) in regards to Learning Outcomes 4, 5, & 6:

Students demonstrates the ability to exercise proper professional and ethical responsibilities to clients and the legal system.	96.6%
Student demonstrates knowledge and understanding of the lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have access to our justice system.	86.6%
Student demonstrated an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.	96.6%

The committee failed in working with the faculty teaching Legal Profession to develop embedded assignments and rubrics to assess LOs 5 and 6 in these courses. The committee will try again in fall 2021.

**Future action:** The committee will work with the faculty teaching Legal Profession to develop embedded assignments and rubrics to assess LOs 5 and 6 in these courses.

#### **b. LLM for International Law Graduates -- LOs 1,2,3,4**

All outcomes for all students in the International LLM program are assessed based on their performance in the Legal Research and Writing: LLM course. An assessment was completed on each student over the last two years the course was offered. Over the last

two years, three students in the International LLM program enrolled in Legal Research and Writing: LLM. The assessment chart is attached. However, it is difficult to draw any conclusions from the data since the pool of assessable candidates is so small. The committee will need to reevaluate how the International LLM program ought to be assessed.

**Status:** The committee will need to reevaluate how the International LLM program ought to be assessed in the 2021-22 academic year.

#### **c. LLM in Advanced Legal Studies – LOs 1,2,3,4**

The Committee postponed assessment of the LLM in Advanced Studies program until the 2021-2022 academic year.

**Status:** Next assessment in spring 2022.

#### **d. M.S. in Legal Studies – LOs 1,2,3**

The Committee postponed assessment of the M.S. in Legal Studies program until the 2021-2022 academic year.

All MS students participate in a capstone course with a thesis or paper. The MS Learning Outcomes will be assessed through capstone courses.

**Status:** Next assessment in spring 2022.

#### **e. Certificate programs**

Although the Committee has developed and adopted learning outcomes for Certificate programs, the Committee has yet to develop a plan for their assessment.

**Future Action:** Develop plan for assessment.

### **2. Institutional Learning Outcomes**

Although the Committee has developed and adopted learning outcomes for the Institution, the Committee has yet to develop a plan for their assessment.

**Future Action:** Develop plan for assessment.

### **3. Other Assessments**

#### **a. Law School Survey of Student Engagement (LSSSE)**

. The LSSSE was administered again in spring 2019 and spring 2020 through the Office of the Assoc. Dean and the same incentives (Starbucks cards) were offered.

**Future Action:** The Committee will review and analyze initial LSSSE results by fall 2019. LSSSE review bar survey analysis will not be available until 2020.

#### **b. Exit Surveys on Learning Outcomes**

The Committee also received results of the 2019 graduate exit survey, which surveyed students. Subjective opinion as to whether they met the associated learning outcomes (report available below).

**Future Action:** The Committee will review and analyze 2019 graduate Exit Survey results when completed.

# Report on July 2019 Bar Exam Results





# REPORT ON JULY 2019 BAR EXAM RESULTS

Prof. Joe Buffington, Director of Bar Success

## 1. Basic Data

The results from this summer's NY bar exam were virtually identical to last summer's results – which is disappointing, but not very surprising.

Last summer, 66 of 87 first-time examinees passed in New York, rounding up to a pass rate of 76%. This summer, 77 of 102 first-time examinees passed in New York, rounding down to a pass rate of 75%. As suggested in the August faculty meeting, this shouldn't come as a shock, as the admissions data for this year's graduating class was virtually the same as for last year's class.

Based on a thorough review of all information available for each examinee, I had predicted a pass rate between 75% and 80%, with the highest probability between 76% and 79%. Approximately 20 of our NY examinees were expected to be very close to the edge. Unfortunately, we didn't get lucky with a sufficient number of those examinees to eclipse last year's numbers. Indeed, there were only 2 results, at most, that I would qualify as a surprise – in each case, a student who I believed to have close to 3-to-1 odds of passing, who failed.

Results for out-of-state examinees were more encouraging: Last summer, we had a 50% pass rate for first-timers (one examinee passed in Florida; the other failed in New Jersey). This summer, we had an 83% pass rate: 5 of 6 out-of-state examinees passed (2 passed in Massachusetts; 1 passed in each of Connecticut, New Jersey, and Wyoming; 1 failed in Florida). Each of these results was predicted.

Our repeaters did a little better this summer: 24% passed vs. 16% last summer. As in the recent past, on average our graduates scored equally well on the written and MBE portions of the exam.

## 2. Comparison with NY Statistics

The state average for first-time examinees from ABA-accredited schools in NY this summer was 85% (up from 82% last year), meaning we were 10 points below state average. This is particularly disappointing light of our February results, which were 7 points above state average (79% vs. 72%). Official state statistics for February and July bar exam results are available at the link below. *Note: Our annual first-time NY pass rate was up from 72.4% last year to 76.3% this year. When we include out-of-state takers, the improvement is even stronger: up from 72.0% to 76.6%.*

[https://www.nybarexam.org/ExamStats/2019\\_NY\\_Bar\\_Exam\\_PassRates.pdf](https://www.nybarexam.org/ExamStats/2019_NY_Bar_Exam_PassRates.pdf)

We were 10<sup>th</sup> out of the 15 schools. In general, we continue to outperform our peers, when our peers are defined by admissions data, but it's disappointing that we didn't best as many of our betters as we did last summer, as shown in the following charts (using undergraduate GPA and LSAT scores for the relevant entering classes):

School	75-GPA	50-GPA	25-GPA	75-LSAT	50-LSAT	25-LSAT	July 18 pass rate
Touro	3.31	3.03	2.77	149	147	145	48
Pace	3.48	3.22	2.88	153	150	147	66
Hofstra	3.60	3.39	2.99	155	153	147	62
Albany	3.54	3.23	2.98	154	151	149	(12 <sup>th</sup> ) 76
NYLS	3.48	3.24	2.88	154	152	149	64
CUNY	3.59	3.32	3.09	156	152	150	73
SUNY	3.66	3.44	3.21	157	154	151	70
Syracuse	3.51	3.33	3.07	156	154	151	84
Brooklyn	3.59	3.36	3.11	158	155	152	72
St. John's	3.73	3.54	3.26	159	158	154	87
Cardozo	3.62	3.42	3.15	161	159	156	81
Fordham	3.69	3.53	3.35	165	163	161	89
Cornell	3.82	3.74	3.62	168	167	164	94
NYU	3.87	3.78	3.61	171	169	166	98
Columbia	3.81	3.70	3.59	173	171	168	98

LAST SUMMER – SORTED BY 25<sup>th</sup> LSAT PERCENTILE



LAST SUMMER - SORTED BY RESULTS (we outperformed our peers ... and more)

School	75-GPA	50-GPA	25-GPA	75-LSAT	50-LSAT	25-LSAT	July 18 pass rate
Touro	3.31	3.03	2.77	149	147	145	48
Hofstra	3.60	3.39	2.99	155	153	147	62
NYLS	3.48	3.24	2.88	154	152	149	64
Pace	3.48	3.22	2.88	153	150	147	66
SUNY	3.66	3.44	3.21	157	154	151	70
Brooklyn	3.59	3.36	3.11	158	155	152	72
CUNY	3.59	3.32	3.09	156	152	150	73
Albany	3.54	3.23	2.98	154	151	149	(8 <sup>th</sup> ) 76
Cardozo	3.62	3.42	3.15	161	159	156	81
Syracuse	3.51	3.33	3.07	156	154	151	84
St. John's	3.73	3.54	3.26	159	158	154	87
Fordham	3.69	3.53	3.35	165	163	161	89
Cornell	3.82	3.74	3.62	168	167	164	94
NYU	3.87	3.78	3.61	171	169	166	98
Columbia	3.81	3.70	3.59	173	171	168	98

School	75-GPA	50-GPA	25-GPA	75-LSAT	50-LSAT	25-LSAT	[July 19 LSAT rank]
Touro	3.35	3.00	2.73	150	148	146	
Hofstra	3.60	3.40	3.09	154	151	146	
Pace	3.57	3.30	2.99	153	151	148	
CUNY	3.57	3.23	2.96	155	151	149	
Albany	3.55	3.34	3.01	154	152	149	(11 <sup>th</sup> )
NYLS	3.54	3.31	3.02	155	152	149	
SUNY	3.70	3.42	3.13	157	154	150	
Syracuse	3.58	3.35	3.12	157	154	152	
St. John's	3.72	3.54	3.16	160	158	152	
Brooklyn	3.55	3.31	3.12	159	156	154	
Cardozo	3.66	3.44	3.15	161	159	155	
Fordham	3.67	3.53	3.37	165	163	159	
Cornell	3.81	3.73	3.60	168	167	163	
NYU	3.89	3.81	3.65	171	169	166	
Columbia	3.81	3.70	3.56	174	172	168	

THIS SUMMER - SORTED BY 25th then 50th then 75th LSAT PERCENTILE



THIS SUMMER - SORTED BY PASS RATE

School	75-GPA	50-GPA	25-GPA	75-LSAT	50-LSAT	25-LSAT	July 19 pass rate
Touro	3.35	3.00	2.73	150	148	146	63.4
Hofstra	3.60	3.40	3.09	154	151	146	65.3
SUNY	3.70	3.42	3.13	157	154	150	72.5
Pace	3.57	3.30	2.99	153	151	148	73.4
CUNY	3.57	3.23	2.96	155	151	149	74.8
Albany	3.55	3.34	3.01	154	152	149	(10 <sup>th</sup> ) 75.5
NYLS	3.54	3.31	3.02	155	152	149	78.5
Brooklyn	3.55	3.31	3.12	159	156	154	81.5
Cardozo	3.66	3.44	3.15	161	159	155	86.4
Syracuse	3.58	3.35	3.12	157	154	152	87.7
St. John's	3.72	3.54	3.16	160	158	152	88.9
Fordham	3.67	3.53	3.37	165	163	159	91.0
Cornell	3.81	3.73	3.60	168	167	163	93.8
NYU	3.89	3.81	3.65	171	169	166	95.8
Columbia	3.81	3.70	3.56	174	172	168	96.9

### 3. What's Working

Statistical analysis of results in connection with suspected predictors of success suggests more robustly than ever that engagement in our dedicated bar prep programming works: Both logistic and linear regression models suggest significant ( $p < .05$ ) positive effects for attendance at the Q&A lunches, and linear regression models also suggest significant positive effects for attendance in ALA II. These effects are significant even when taking bar review course completion into account, which is independently significantly correlated with higher scores in linear models and greater odds of passing in logistic models. For example:

<i>Linear Regression Statistics</i>	
Multiple R	0.856201202
R Square	0.733080498
Adjusted R Square	0.706388548
Standard Error	13.15695004
Observations	100

ANOVA					
	<i>df</i>	<i>SS</i>	<i>MS</i>	<i>F</i>	<i>Significance F</i>
Regression	9	42788.22991	4754.248	27.46448	3.32418E-22
Residual	90	15579.48009	173.1053		
Total	99	58367.71			

<i>Score</i>	<i>Coefficients</i>	<i>Standard Error</i>	<i>t Stat</i>	<i>P-value</i>
Intercept	54.89478379	52.04875465	1.05468	0.294395
Diagnostic - skills	0.057228527	0.150804618	0.379488	0.70522
Diagnostic - knowledge	0.055693723	0.186717054	0.298279	0.766178
LSAT	0.466118913	0.334138388	1.394988	0.166453
UGPA	5.555330432	4.460031074	1.245581	0.216151
LGPA	33.7873174	5.293626255	6.382641	7.41E-09
ALA I credits	-2.766481675	1.910682795	-1.4479	0.151119
ALA II credits	2.180708445	1.012286603	2.15424	0.033893
# of lunches	0.335036076	0.113522537	2.951274	0.004035
Review course %age	0.27969923	0.066853621	4.183756	6.65E-05

As suggested in the chart, cumulative law school GPA continues to be the surest predictor of bar exam success. In general, students who graduate with a cumulative GPA of at least 3.0 pass the exam except in extreme circumstances; this summer there were 2 such students: one who didn't begin studying for the bar until 2 weeks before the exam and another who was admitted with an LSAT of 147, really struggled with the MBE, and didn't engage in the lunches or respond to outreach from his/her coach. (Higher LSAT scores have a significant positive effect in linear models of MBE scores but not written or total scaled scores, nor in logistic models of greater odds of "passing" the MBE, i.e. having an MBE scaled score of at least 133. Also, for the first time since I've arrived in Albany, there seems to be some evidence that choice of bar review course correlates with success, but I hesitate to say more until I have more and maybe better data; this summer, there was an unusually lower rate of completion for one of the courses, and another course cancelled its on-campus live streams at the last minute, affecting some graduates' study plans.)



#### 4. What's Not Working (?)

Although no linear or logistic model showed a significant ( $p < .05$ ) result, there is some evidence that enrollment in ALA I is having the opposite effect of what we want. Subjectively, the course has been substantially valuable to several graduates – I can provide you with their comments if you like; objectively, enrollment in ALA I (unlike ALA II) is negatively correlated with both attendance at the Q&A lunches and bar review course completion (correlation coefficients  $-.15$  and  $-.17$ , respectively). I don't have solid data (beyond some bruising course evaluations from Spring '19) to back this up, but my sense is that requiring students to enroll in ALA I in the spring semester of their 2L year, with minimal notice (given when the diagnostic exam results are released and registration for the spring semester begins) is turning some students off to what we have to offer and perhaps to bar prep in general. [Note added 10/29/20: This is why I assumed full responsibility for administration of the Diagnostic in Summer 2019. I modulated the messaging regarding the Diagnostic and attempted to provide more opportunity for student concerns to be heard, etc. Based on how well ALA I went in Spring 2020 and administration of the Fall 2020 Diagnostic, we seem to be overcoming the obstacles described in the preceding sentences.] There is some evidence that ALA I has a positive effect on law school GPA, as it was designed in part to do – for example, for this summer's bar examinees, students who took ALA in their 4<sup>th</sup> semester had an average differential in term-GPA from the 3<sup>rd</sup> to the 5<sup>th</sup> semester of  $+.18$  whereas students who didn't take ALA I had an average differential of just  $+.02$ ; but t-tests fail to indicate a significant effect ( $p \approx .07$ ), and it is possible that part of what's being reflected here is regression to the mean for ALA I students, who in general have lower GPAs. It's also possible that what's being reflected in the negative correlation between enrollment in ALA I and bar exam scores is sampling bias: approximately 95% of students who take ALA I do because of poor performance on the Kaplan Diagnostic, which is essentially a miniature bar exam. While we attempt to control for such bias through regression on other academic variables, we don't have much of a control group (i.e. a sufficient number of those who performed poorly on the Diagnostic but were permitted to opt out of ALA I), and there very well may be an independent "bad at the bar exams" variable we can't easily control for when testing the value added in ALA I. As for whether a student's scores on the Kaplan diagnostic – which, among other ways, are broken down into scores for "knowledge" and "skills" – add predictive value to linear or logistic models that include the usual suspects like cumulative GPA, the answer, as suggested by the chart above, appears to be *no*. To be sure, t-tests show significant difference in mean scores in both "knowledge" and "skills" between graduates who pass and graduates who don't pass the bar exam, but those scores seem to lose their significance when law school GPA (etc.) is controlled for.

#### 5. What's Next

I think that Connie and I agree that Academic Affairs should take a good look at the value of continuing the diagnostic and/or mandatory enrollment in ALA I. (One idea, for example, is to use diagnostic results to steer students into early bar exam coaching rather than requiring them to take a semester-long course that may conflict with other bar-related courses.) I have already asked the committee to schedule an extended meeting where this may be considered in detail. In the meantime, we're working to improve the messaging regarding the diagnostic, the course, and enrollment in ALA I, and with the help of former ALA I students, I think we've done a decent – albeit far from perfect – job this fall at making students feel better about having to take the course,

if they do. In addition, Pam and I have scheduled a meeting to discuss how the diagnostic and ALA I lines up with what she's doing in Legal Methods and with academic support in general.

I have asked Troy Riddle for his input on how we can do better at getting more graduates – especially those who may be at risk for failing the bar exam (regardless of diversity status, which in general isn't correlated with bar exam success) engaged in our programming and/or their bar review courses. Troy has some interesting suggestions on how to make students and graduates feel more at home here for their bar prep. In short, we want at-risk students to feel fully included.

When we have specifics on our competitor's summer pass rates, I'll report back if there are any surprises in the data. And as always, if you have any questions, please ask.

# Report on July 2020 Bar Exam Results





# REPORT ON OCTOBER 2020 BAR EXAM RESULTS

Professor Joe Buffington, Director of Bar Success  
(1/23/21)

## 1. The Basics

### First-Time J.D. Examinees in NY: 87%

86 of 99 first-time J.D. examinees passed the October (online) NY bar exam, for a pass rate that rounds up to **87%**. (Last summer, 77 of 102 such examinees passed, for a pass rate that rounds down to 75%, reflecting a year-to-year difference of approximately **+12%**.)

### First-Time J.D. Examinees Elsewhere: 100%

2 of 2 first-time J.D. examinees passed a summer / fall bar exam outside NY, one in Massachusetts. and one in New Jersey. (Last summer, 5 out of 6 such examinees passed, for a pass rate of 83%.)

### First-Time LL.M. Examinees in NY: 50%

1 of 2 first-time LL.M. examinees passed the October NY bar exam. (Last summer, we had no such examinees.)

### Repeating Examinees in NY: 33%

3 of 9 repeating examinees (all J.D.s) passed the October online NY bar exam, for a pass rate of 33%. (Last summer, the pass rate for repeaters, including some LL.M.s, was 24%.) Note that the NY Board of Law Examiners did not permit graduates who had failed the bar exam more than once before to register for the October exam, citing a need to limit the number of examinees in order to administer the exam successfully.

## 2. vs. Other Schools: 7<sup>th</sup> in NY

School-level state-wide statistics haven't been published yet, but the Director of the NY Board of Law Examiners has informed the Dean that we ranked **7<sup>th</sup>** out of the 15 New York law schools on the October exam. (Last summer, we ranked 10<sup>th</sup>.) We know the average MBE score for J.D. grads from NY schools rose 2.5 points; ours rose 3.3 points. The BOLE has posted general data here:

[https://www.nybarexam.org/Press/OCT2020BarExamResults\\_PressRelease\\_12.16.2020.pdf](https://www.nybarexam.org/Press/OCT2020BarExamResults_PressRelease_12.16.2020.pdf)

## 3. Internal Statistics

Here are the key takeaways from internal statistics:

- More frequent attendance at the bar prep lunches & workshops and greater completion of a bar review course were both consistently significantly correlated with greater odds of passing the exam in logistic regression models (both were always included as independent variables, meaning the hypothetical effects are cumulative).

- Law school GPA and LSAT scores were consistently significantly correlated with higher bar exam scores in linear regression models but not necessarily significantly correlated with greater odds of passing the bar exam (i.e. earning a score of 266 or higher on the exam) in logistic regression models. Percent completion of a bar review was also significantly correlated with higher bar exam scores in linear regression models.
- Choice of bar review provider (Barbri, Kaplan, or Themis) was not significantly correlated with greater odds of passing or higher scores.
- Taking the exam on campus was not significantly correlated with greater odds of passing or higher scores (however, it is possible that taking the exam in a preferred environment was correlated with bar success, just not in ways that we've measured).
- Enrollment in Advanced Legal Analysis II was correlated with greater attendance at the lunches & workshops (and, less strongly, completion of bar review course) but not necessarily with greater odds of passing in logistic models or higher scores in linear models. Last summer, we saw significant linear correlations between the number of ALA II credits (the class can be taken for either 2 or 4 credits) and higher scores, but multicollinearity (ALA II enrollment is highly correlated with lower GPAs) and sample bias (ALA II enrollment may be independently correlated with test-taking challenges, like exam anxiety) may explain some of the apparent lack of an effect this time, as it seems to have done in the past. The shift to emergency online teaching in Spring 2020 may have had an effect, as well (as suggested by statistical analysis of ALA II grades that semester).

Overall, these takeaways are largely consistent with what we've seen in the past: What matters most for bar success is **meaningful engagement with the bar prep process** during the bar review season. Low LSATs and even low law school GPAs can be overcome by regular participation in our bar prep programming and (near-)completion of a bar review course.

#### 4. Race

Regression analysis of race as a predictor of bar results was limited by the small number of non-white graduates who took the exam: only 13 of 99 J.D. first-time examinees were minority graduates: 6 self-identified as Black, 3 as Hispanic, 3 as multi-racial, and 1 as Asian. Coefficients for Black graduates (vs. non-Black graduates) trended positive in linear and logistic models, whereas coefficients for Hispanic (vs. non-Hispanic graduates) trended negative; p values were occasionally less than .05 for each group but were not consistently low across models, which varied according to whether graduates who opted not to report their scores to us were included in the models, whether graduates who took untraditional review courses (which was more common for minority graduates) were included in the models, and which variables other than race were included in the models. In general, coefficients for minority graduates (vs. non-minority graduates) trended negative; however, minority status was not a significant ( $p < .05$ ) predictor of scores (on any component of the exam) or odds of passing in any of the models.

#### 5. Questions?

If there are details you'd like for me to provide, I am happy to do my best to do so – please ask!

# Summer 2019 1L Diagnostic Report



# 2L DIAGNOSTIC REPORT:

## Summer 2019

### Albany Law School

80 New Scotland Ave  
Albany, NY 12208  
Students Tested: 160  
Test Dates: Summer 2019

### ABOUT THE ASSESSMENT

Students were given a 4-hour diagnostic exam. The exam consists of 80 multiple-choice questions across five MBE subjects and provides assessments of both students' substantive knowledge and students' test-taking skills; and a three-part writing exercise requiring students to respond to two essay questions and one performance-test question.

### SUBJECT COVERAGE AND MAKEUP OF THE EXAM

The coverage area for the multiple choice questions (MCQs) comes from a combination of several criteria. First, 2L law students nationwide have taken basic classes in Torts, Contracts, Real Property, Criminal Law, and Federal Civil Procedure. Second, the National Conference of Bar Examiners (NCBE) has identified these subjects among those that will be tested on the Multistate Bar Examination (MBE). The NCBE has also released outlines highlighting the core topics within each tested subject, including a percentage breakdown of the coverage of each topic area on the MBE. Kaplan Bar Review's staff has assembled an 80-question multiple-choice test based on these topic breakdowns and their own expertise as MBE teachers and lecturers. Similarly, our staff has crafted essay questions designed to measure students' writing abilities against selected topics within the same subjects.

### WHAT THE ASSESSMENT MEASURES

GPA and class rank are typical standards used to identify at-risk students, but these numbers provide little insight into the reasons behind poor performance. The diagnostic measures students' knowledge and analyzes their academic skills in order to address their underlying needs.

### KNOWLEDGE

The assessment will highlight subject areas and topics in which students have demonstrated gaps in foundational knowledge.

- Students' percentage of correct responses within each subject are displayed along with a breakdown of specific topics covered by each question on the test.
- Student performance is measured across an expected range to account for variances in item and subject matter difficulty.

### SKILLS

The diagnostic evaluates performance based on critical academic skills.

- The assessment measures students' skills in areas such as Critical Reading, Reasoning, and Analysis.
- In addition to explaining what students got wrong, the cohort report and individual student reports will explain why students underperformed. For example, students may have failed to spot an issue, or may have had problems selecting the most specific answer to a given question.

### PERFORMANCE OVERVIEW

Number out of 160 students with results at or above expected performance:

	MCQ Test	Essay A	Essay B	Writ. Pract.
Torts	105	78		
Contracts	116			
Real Property	142		98	
Criminal Law	99			
Fed Civil Proc	64			
Test Skills	125			57
Knowledge	91			

Kaplan sets the level of expected performance on the multiple choice test by looking at results from a national sample of student test-takers. 2L students are assessed against a baseline of expected performance as measured against other 2L students who have covered the same subjects and topics.

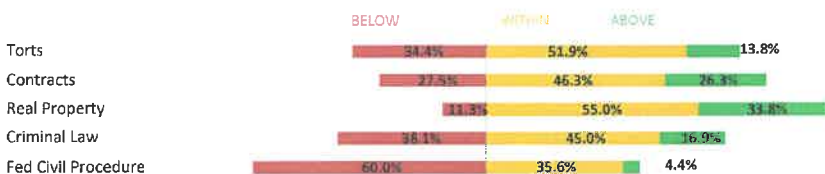
### IN THIS REPORT:

- Summary: Multiple Choice Test
- Summary: Writing and Practice Skills Test
- Summary: Knowledge and Skills Matrix
- Multiple Choice: Subjects
- Multiple Choice: Wrong Answer Analysis
- Multiple Choice: Item Analysis
- Writing: IRAC Analysis and Skills Analysis
- Writing: Writing Practicum
- Student Roster
- Next Steps
- Individual Student Reports

# Summary: Multiple Choice Test

## MBE Subjects: Level of Expected Performance

The following graph shows how students performed in each subject on the multiple-choice assessment:



Based on a nationwide sample of students who took this same test, an estimated expected performance level for students on track to pass the bar exam was determined.

## Skills v. Knowledge: Level of Expected Performance

Each multiple-choice question was focused on measuring a student's knowledge of the law or a student's test-taking skills. This graph shows how well students performed on both question types:



Based on a nationwide sample of students who took this same test, an estimated expected performance level of students on track to pass the bar exam was determined.

### LEVEL OF EXPECTED PERFORMANCE: MCQs

For each of the five MBE subjects tested on the 2L Diagnostic administered for Albany Law School, the level of expected performance is a comparative norm used to assess the nationwide sample of students who have taken this same diagnostic set of multiple-choice questions. The graphs on this page compare the performance of this Albany cohort to this expected level of performance.

### Cohort Level Performance - by MBE Subject

Overall, with respect to expected performance levels, this Albany cohort had mixed levels of success, depending on the subject tested. That being said, the cohort was more successful than not. In four of the five subjects, a sizable majority of the cohort met or exceeded performance expectations. Indeed, in one of these subjects, only about a third of the cohort fell short of expected levels of performance; in another, only about a fourth of the cohort did so; and, finally, there was one subject in which only a ninth of the cohort failed to meet our expectation norm.

Relative to performance expectations, the cohort's strongest performance occurred in *Real Property*. Not only is this the subject with the smallest portion below expectations but also it is the subject with the largest portion above our expectation range. Fully one-third of the cohort exceeded our performance norm.

After *Real Property*, the cohort's strongest performance was in *Contracts*. This subject had the second smallest portion of the cohort below expectations and the second largest portion of the cohort above this standard. A bit more than a quarter of the cohort exceeded our expectations for the Contracts MCQs.

The cohort was somewhat successful in the subjects of *Torts* and *Criminal Law*. In both of these subjects, a bit more than a third of the cohort fell short of the expectation range, while about a sixth of the cohort exceeded this range.

Finally, relative to expected performance levels, the cohort's weakest performance occurred in *Federal Civil Procedure*. This was the only subject for which a majority of the cohort performed below our expectation standard. It was also the only subject for which less than an eighth of the cohort performed above this standard. Indeed, only about one student in twenty did so.

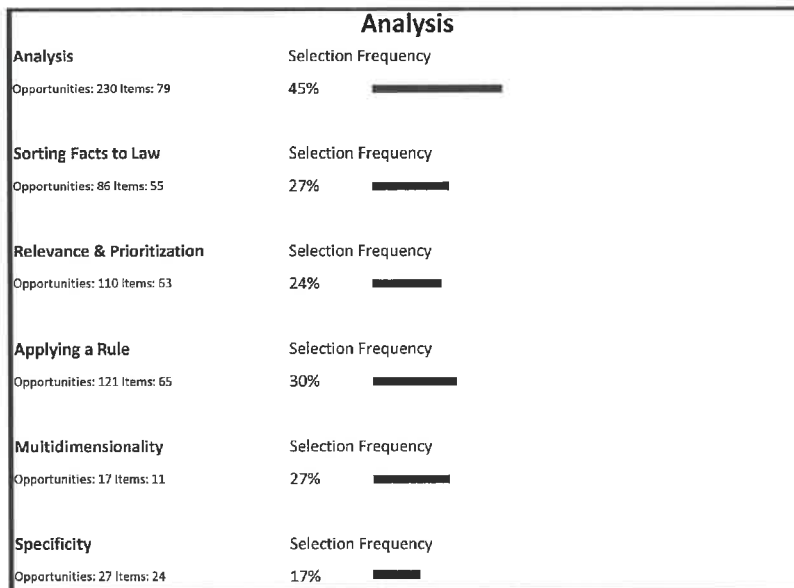
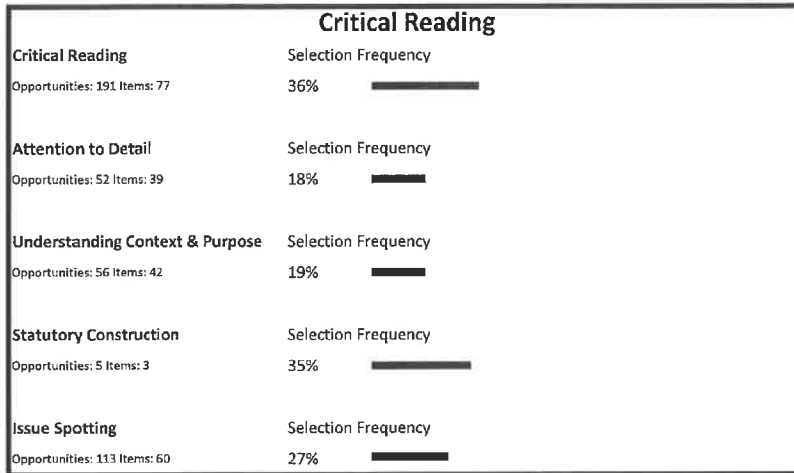
### Cohort Level Performance- MCQ Skills v MBE Knowledge

All of the multiple-choice questions on the Diagnostic are tagged as either primarily *knowledge-based* or primarily *skills-based*. Because law school is more focused on teaching the substantive law than on teaching test-taking skill, our expectation range for *knowledge-based* questions is higher than our expectation range for *skills-based* questions.

That being said, relative to our expectation norm, Albany students performed better on the *skills-based* questions than on the *knowledge-based* questions. On *skills-based* questions, nearly half of the cohort exceeded our expectation range and only a fifth of the cohort fell short of this range. In contrast, on *knowledge-based* questions, less than a third bested our expectations, while nearly half fell short of our expectations.

# Multiple-Choice: Wrong Answers

## Multiple Choice: Skills Analysis



### Student Responses

Students' incorrect responses on the multiple-choice questions were charted against a set of academic skills crucial to success in law school. In this way, we are able to track incorrect responses against a particular skill deficiency.

The chart to the left shows the number of items (questions) that were tagged with each skill, as well as the number of opportunities (answer choices) that were tagged to each skill. A high selection frequency generally indicates a higher deficiency in that particular skill area, although certain skills appear more frequently than others, and therefore are considered more significant.

**Critical Reading:** This category measures the ability to read a passage closely and to identify important facts and legal concepts. Critical Reading includes four component skills, which are Attention to Detail, Understanding Context & Purpose, Statutory Construction, and Issue Spotting.

- **Attention to Detail:** This is the ability to locate specific elements of facts and/or laws that are germane to the overall question presented for analysis.

- **Understanding Context and Purpose:** This is the ability to determine the intent or function behind facts and/or laws in the question presented for analysis.

- **Statutory Construction:** This is the ability to parse out the specific meaning of statutory language and to apply that language in a precise way.

- **Issue Spotting:** This is the ability to identify all issues in a fact pattern, from the obvious to the less readily apparent.

**Reasoning:** This category measures the cognitive skills needed to work through a problem and reach a legal proposition or conclusion. This includes the various types of reasoning: inductive reasoning, deductive reasoning, analogical reasoning, and synthesis of information.

**Analysis:** This category measures the ability to argue towards a conclusion through the application of legal rules or propositions to facts. Analysis contains several component skills, which are Sorting Facts to Law, Relevance & Prioritization, Applying a Rule, Multidimensionality, and Specificity.

- **Sorting Facts to Law:** This is the ability to identify patterns and align "matching" legal rules to facts.

- **Relevance & Prioritization:** This is the ability to focus on the most important and clearly germane aspects of a question.

- **Applying a Rule:** This is the ability to determine the correct rule of law and apply that rule correctly to a set of facts.

- **Multidimensionality:** This is the ability to see multiple sides of an issue and to identify conflicting or contradictory arguments.

- **Specificity:** This is the ability to choose the best possible answer out of several possibilities.



# Multiple-Choice: Wrong Answers

## Multiple Choice: Response Patterns

Item	Percentage of students choosing this type of wrong answer		Subject	Correct Answer	A	B	C	D
<b>Critical Reading</b>								
#76	74%		T	B	36%	18%	38%	8%
#27	68%		F	D	15%	10%	43%	32%
#47	61%		K	A	33%	3%	59%	6%
Attention to Detail								
#47	61%		K	A	33%	3%	59%	6%
#60	61%		F	C	29%	17%	23%	32%
#33	54%		F	B	33%	45%	22%	1%
Understanding Context & Purpose								
#17	60%		T	B	43%	40%	1%	16%
#79	58%		T	A	18%	13%	24%	45%
#36	52%		F	A	27%	16%	52%	6%
Statutory Construction								
#75	49%		K	B	8%	51%	29%	11%
#29	29%		T	B	29%	58%	12%	1%
#38	26%		P	C	25%	26%	45%	3%
Issue Spotting								
#79	81%		T	A	18%	13%	24%	45%
#76	74%		T	B	36%	18%	38%	8%
#27	68%		F	D	15%	10%	43%	32%
<b>Reasoning</b>								
#35	94%		F	A	6%	5%	21%	69%
#40	92%		F	B	24%	8%	59%	9%
#69	70%		P	D	41%	16%	29%	13%
<b>Analysis</b>								
Sorting Facts to Law								
#77	71%		F	A	28%	16%	4%	50%
#27	68%		F	D	15%	10%	43%	32%
#71	63%		F	D	12%	8%	44%	36%
Relevance & Prioritization								
#76	74%		T	B	36%	18%	38%	8%
#6	69%		F	C	21%	46%	11%	23%
#27	68%		F	D	15%	10%	43%	32%
Applying a Rule								
#35	94%		F	A	6%	5%	21%	69%
#69	86%		P	D	41%	16%	29%	13%
#76	82%		T	B	36%	18%	38%	8%
Multidimensionality								
#60	78%		F	C	29%	17%	23%	32%
#18	56%		F	D	4%	2%	50%	43%
#79	36%		T	A	18%	13%	24%	45%
Specificity								
#40	59%		F	B	24%	8%	59%	9%
#66	46%		K	A	52%	46%	2%	0%
#2	34%		K	A	45%	31%	3%	21%

### Student Responses

This page of the report displays the questions with the highest percentage of incorrect student responses within each skill category.

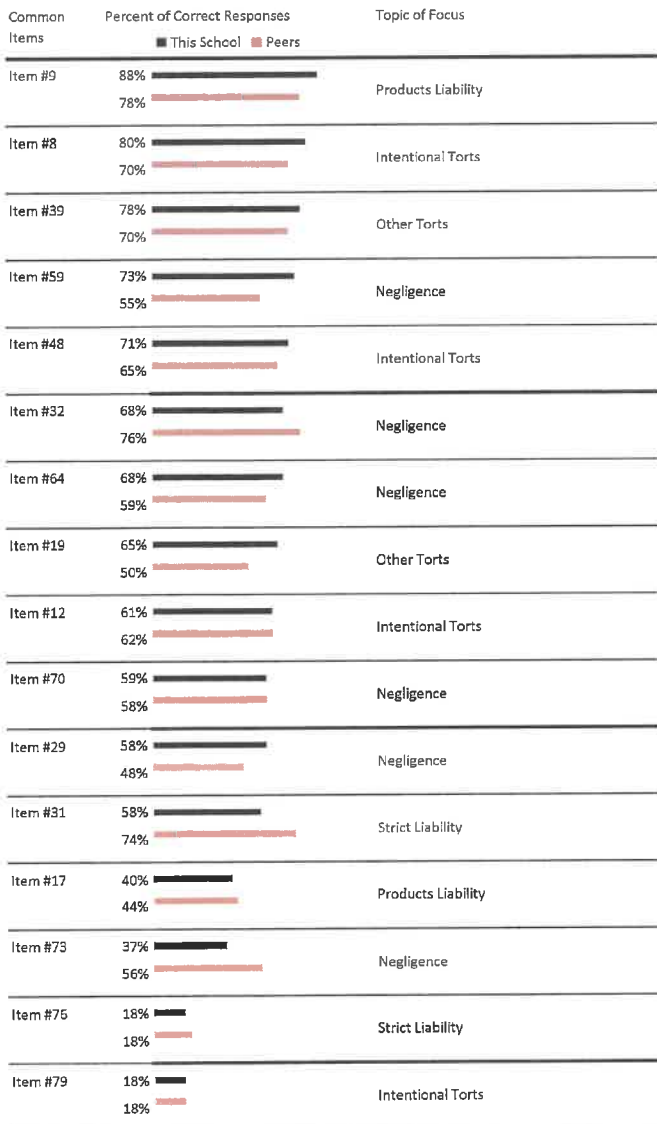
For each question displayed to the left, the chart shows the percentage of students who chose an incorrect answer that was coded to the skill category in question, as well as the subject of the question and the correct answer for each. The incorrect answer choices coded to that particular skill deficiency are bolded, while the correct answer choice is displayed in green.

For each item, this provides a visual representation of the breakdown of student responses. In particular, this chart shows whether students primarily gravitated towards one or more answer choices. This shows that students may have been particularly distracted by one or more of the incorrect answer choices on a given question. Additionally, a spread of student responses across the four answer choices indicates that students may have been guessing as to the correct answer.



# Item Analysis: Torts

## Item-by-Item by Difficulty



### Item Analysis: Generally

The items on the MCQ portion of the Diagnostic vary in level of difficulty. For each MBE subject, this section ranks the individual items tested by the percent of the cohort answering them correctly. And for each item, the cohort's performance is compared to the national average for that item. Overall, on the 80 MCQs in this Diagnostic, this Albany cohort outperformed the national average by almost six points, answering more than 54 percent of these questions correctly. At the item level, the cohort outperformed the national average for more than two thirds (54) of the 80 individual questions tested. At the subject level, the cohort outperformed the national average for each of the five subjects tested, doing so by between three and nine percentage points.

### Item Analysis: Torts

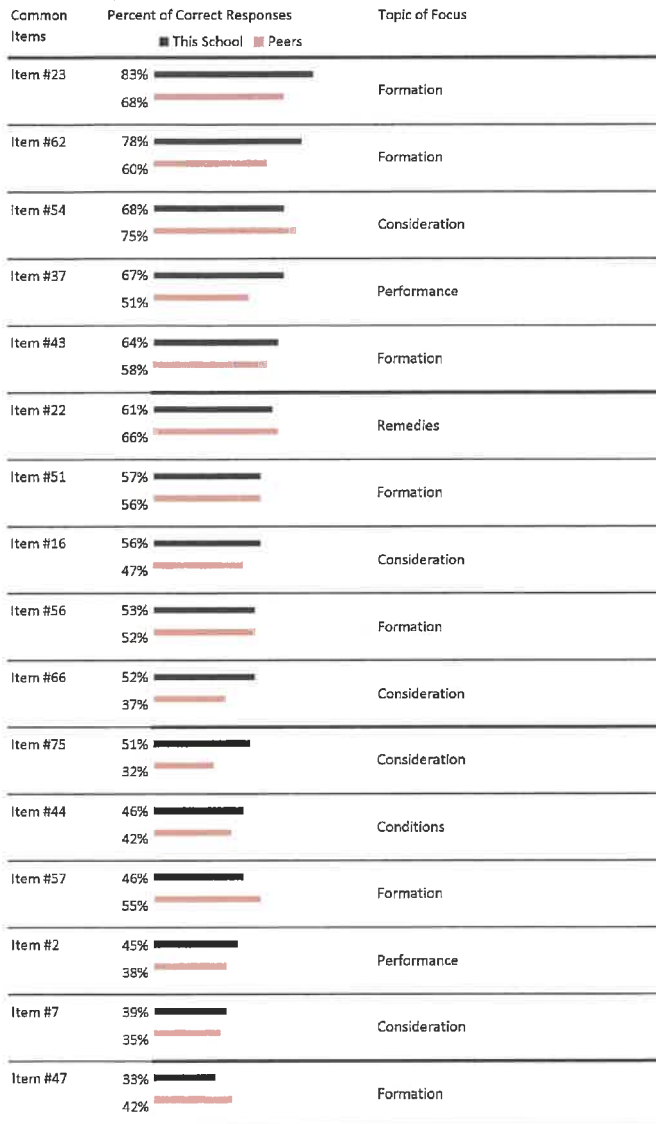
Overall, on the Torts MCQs, the Albany cohort topped the national average for this subject. The cohort answered roughly 59% of these questions correctly, topping the national average by about three points.

At the item level, the Albany cohort outperformed the national average for nine of the sixteen questions in the set. On about a third of this set's questions, the school and national cohorts performed within five points of each other. On another third of the questions, the two cohorts had performances that diverged by a double-digit amount. For this subset of questions, the Albany cohort had the double-digit advantage three times and the double-digit deficit twice.

At the topic level, relative to national averages, the Albany cohort was generally successful. In its best topic-level performance, in the topic of *Other Torts*, the cohort outperformed the national average for each tested item and by more than eleven points overall. In both *Products Liability* and *Intentional Torts*, the cohort outperformed the national average for individual questions half of the time and outperformed the national topic average by three or four points. In the important topic of *Negligence*, the cohort was also successful, bettering the national average for two thirds of the tested items but by only two points overall. Finally, in its worst topic-level showing, in *Strict Liability*, the cohort was outperformed on each item tested and, overall, was outperformed by nine points.

# Item Analysis: Contracts

## Item-by-Item by Difficulty



### Item Analysis: Contracts

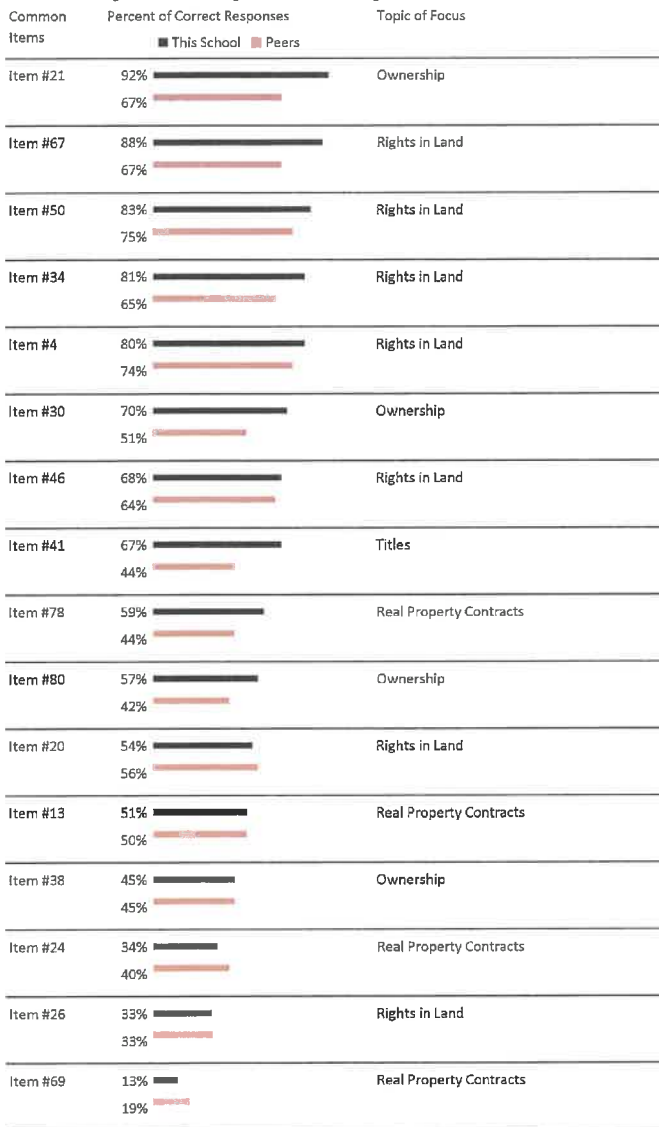
Overall, in the subject of *Contracts*, the students in the Albany cohort had a successful performance relative to the national average. While students nationally only answer a bit more than half of these questions correctly, the school's cohort performed almost six points better, answering 56% of these questions correctly.

At the item level, consistent with its overall performance in this subject, the Albany cohort outperformed the national average for three fourths of the set's sixteen questions. On about a third of the set's questions, the school and national cohorts performed within five percentage points of each other. On another third of the set's questions, the Albany cohort topped the questions' national averages by a double-digit margin. Tellingly, in this set of questions, the school cohort was never outperformed by such a margin.

At the topic level, the Albany cohort was consistently successful, although to various extents. In its worst topic, *Formation*, it was still the case that the cohort outperformed the national average on a majority of the items tested and by more than three points overall. In *Consideration*, the cohort was a bit more successful. Here, it outperformed the national average for all but one of the items tested, and this time its topic average was eight points better than that achieved nationally. Finally, the cohort's greatest success occurred in *Performance Obligations*. Here, the cohort outperformed the national average for each item tested and, overall, outperformed the national average by a nine-point margin.

# Item Analysis: Real Property

## Item-by-Item by Difficulty



## Item Analysis: Real Property

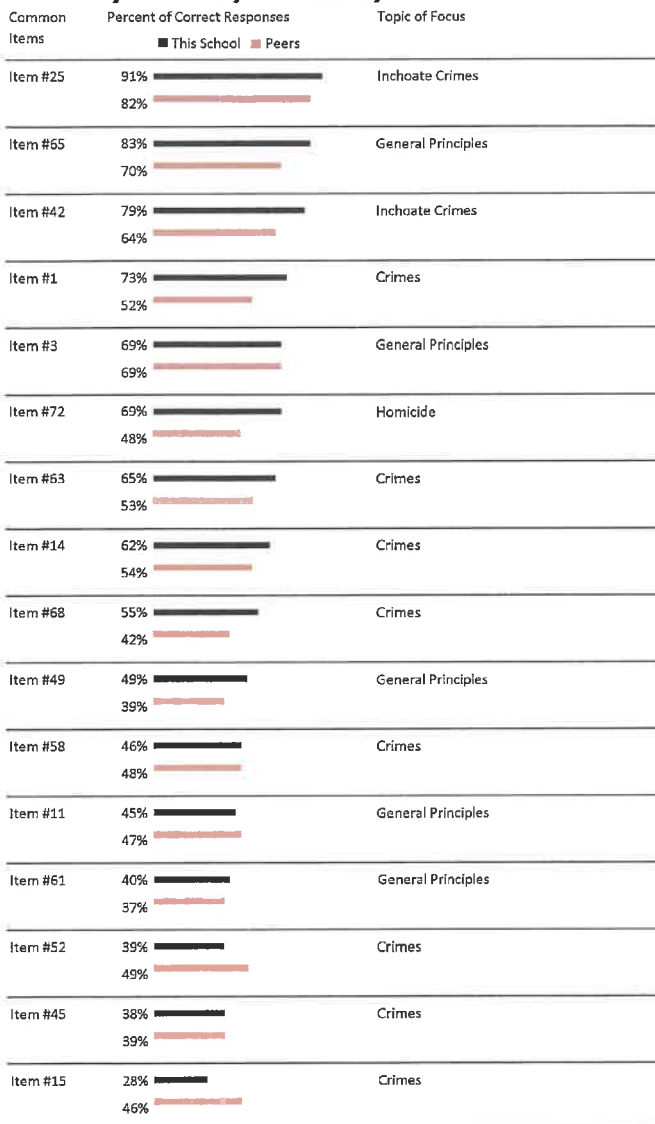
Overall, on the Real Property set of questions, the students in the Albany 2L cohort had its greatest success relative to national averages. Nationally, the average for this question set is about 52% correct. This Albany cohort topped that mark by nine points.

At the item level, consistent with its overall performance in this subject, the Albany cohort outperformed the national average for three fourths of the set's sixteen questions. On about a third of the set's questions, the school and national cohorts performed within five percentage points of each other. Significantly, on almost half of the questions in the set, the Albany cohort topped the national average by a double-digit margin. Moreover, in this set of questions, the school cohort was never outperformed by such a margin.

At the topic level, the Albany cohort outperformed national averages but to varying degrees depending on the topic. In its weakest topic showing--in *Real Property Contracts*--the cohort outperformed the national average half of the time, and its topic average was only a point better than that posted nationally. In the topic of *Rights in Land*, the cohort outperformed the national average for all but one of the questions tested and, overall, outperformed the national average by almost eight points. Finally, in its strongest showing, in *Ownership*, the cohort outperformed the national average for all but one item tested and outperformed the national topic average by nearly fifteen points.

# Item Analysis: Criminal Law

## Item-by-Item by Difficulty



## Item Analysis: Criminal Law

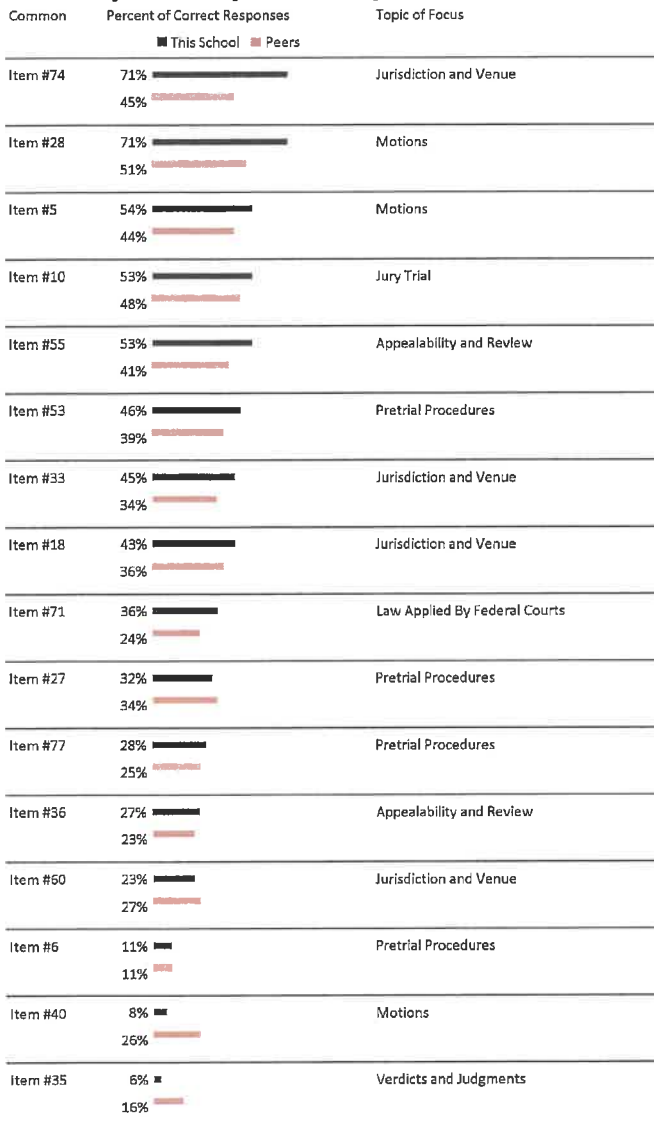
Overall, on the Criminal Law MCQs, the Albany cohort again comfortably outperformed the national average. In this subject, the Albany average was 58 percent correct, and its edge over the national average was a six-point margin.

At the item level, the cohort outperformed the national average on ten of the sixteen Criminal Law questions. About a third of time, the school and national cohorts performed within five points of each other. Almost half of the time, the performances of the two cohorts diverged by a double-digit amount. In these instances, the school cohort owned the double-digit advantage six times and the double-digit deficit only once.

At the topic level, the Albany cohort was consistently successful relative to national averages, besting the national figure by between five and twelve points, depending on the topic. In its best showing, in *Inchoate Crimes*, the cohort outperformed the national average for each individual question and outperformed the national topic average by twelve points. In *General Principles*, the cohort outperformed the national average for all but one of the items tested and, overall, topped the national topic average by about five points. Finally, in *Crimes* (including theft crimes and homicide), the cohort topped the national average for about half of the questions tested, while topping the national average for this topic as a whole by another five-point margin.

# Item Analysis: Federal Civil Procedure

## Item-by-Item by Difficulty



## Item Analysis: Federal Civil Procedure

Overall, on the Federal Civil Procedure questions, the Albany cohort again outperformed the national average. While nationally, students score about 33% correct in this set of questions, the Albany cohort scored five points higher.

At the item level, the cohort outperformed the national average for eleven of the sixteen items in this set. On more than a third of this set's questions, the school and national cohorts performed within five points of each other. However, on half of the set's questions, the two cohorts had performances that diverged by a double-digit amount. On these eight questions, the school's cohort had the double-digit advantage six times and the double-digit deficit only twice.

At the topic level, the cohort outperformed the national average on each of the major topic areas tested, but it did so to varying extents, depending on the topic. In both *Pretrial Procedures* and *Post-Trial Matters*, the cohort's topic-level average was roughly two points higher than the national figure. In *Motions*, the cohort outperformed the national average by more than a four-point margin. Finally, in its best showing, in *Jurisdiction-Venue*, the cohort topped the national figure by ten points.

# Writing Assessment: IRAC Analysis

## A: Torts & Contracts

Class Average Score	48%
National Average Score	44%

		Component Scores				Number of low scores			
Weight		I	R	A	C	I	R	A	C
		2.5	1.5	1.8	1.9				
Did Priscilla and Damon form an enforceable contract?	35%	3.3	1.8	2.0	2.3	40	160	158	81
If so, what defenses to the contract does Priscilla have?	15%	1.5	0.9	1.2	0.8	137	160	160	151
Will Priscilla prevail in a negligence suit?	35%	3.1	1.9	2.4	2.6	46	158	93	45
If Priscilla is found to be partly at fault for her fall, will she be barred from recovery?	15%	0.5	0.3	0.5	0.4	160	160	160	160

### Cohort Level Performance- The Essays: IRAC Skills

Overall, on the Essay portion of the Diagnostic, the Albany cohort outperformed national averages. On the *Torts-Contracts Essay*, the school's cohort bested the national average by four points. On the *Real Property Essay*, the school's cohort bested the national average by a nine-point margin. With such performances, the cohort was able to meet the expectation standard (a score of at least 50%) for the *Real Property Essay* and almost meet this standard for the *Torts-Contracts Essay*.

On the *Torts-Contracts Essay*, an interesting—even if common—pattern shows itself. Here, the cohort performed best on the two issues concerned with the plaintiff's *prima facie* case and much less well on the two issues concerned with the defendant's defenses to the plaintiff's claims. Indeed, for this cohort, the pattern is particularly extreme. For the two issues dealing with plaintiff's *prima facie* case, the cohort satisfied our expectation standard (a 2.0 on our 4-point scale) in all but the *Rules* (R) phase of IRAC, while never earning such a score in any phase of the other discussions dealing with the defendant's defenses. In contrast to what we observe in the *Torts-Contracts Essay*, the cohort's performance on the *Real Property Essay* was more consistently maintained across its three discussions.

## B: Real Property

Class Average Score	51%
National Average Score	42%

		Component Scores				Number of low scores			
	Weight	I	R	A	C	I	R	A	C
		2.9	1.8	1.9	1.5				
Can Wilma succeed in her trespass action?	40%	3.0	1.7	1.9	1.6	59	160	160	115
Did the adventure seekers obtain title to the property through adverse possession?	40%	2.9	1.9	2.0	1.4	62	156	148	133
Suppose that Wilma had been adjudicated insane from 2003-2008. Would that change the ownership status of the land?	20%	2.6	1.7	1.9	1.4	90	152	148	131

In terms of IRAC components, the cohort performed best when *spotting issues* (I). On both essays, the cohort's *overall* component score for issue-spotting was the highest overall component score. Indeed, for each of the seven graded discussions across the two essays, the cohort's *Issue* (I) score was its highest component score.

Not only did the cohort perform best when *spotting issues* but it was also the case that its performance was quite successful relative to our expectation standard and much more so than its performances on IRAC's other phases. For example, the cohort's *issue-spotting* score satisfied our expectation standard on five of the seven graded discussions and, among these five instances, three times its score was high enough to exceed our expectations (a 3.0 on our 4-point scale). In contrast, the cohort's performances in the three other phases of IRAC combined for only five scores that met our expectation standard and none of these scores exceeded expected performance levels.

Finally, it is worth noting that, while the cohort's performances on the *Application* and *Conclusion* phases of IRAC generated a few scores that met performance expectations, there were no such scores generated for the *Rules* (R) phase of IRAC.

# Writing Assessment: Skills Analysis

## Skills Analysis

The overall grades for the essays were scored against the four parts of the IRAC analysis scoring grid. The essays were also assessed on targeted essay writing skills necessary for the bar exam and given a score from 0 to 4.

### Students with a score of 2 or less

Essay A: Torts & Contracts      Essay B: Real Property

	Percent	51	Percent	160
<b>Critical Reading</b> Students identify key facts and spot all of the issues presented.	32%	51	100%	160
		157		160
<b>Reasoning</b> Students work through a problem to a conclusion in a logical way.	98%	157	100%	160
		160		160
<b>Analysis: Sorting Facts to Law</b> Students identify and match legal rules to the facts presented.	100%	160	100%	160
		160		160
<b>Analysis: Relevance &amp; Prioritization</b> Students focus on the most important aspects of a question.	100%	160	100%	160
		137		144
<b>Analysis: Applying a Rule</b> Students identify and apply the correct rule of law accurately.	86%	137	90%	144
		160		160
<b>Analysis: Multidimensionality</b> Students argue and identify multiple sides of an issue.	100%	160	100%	160
		160		160
<b>Analysis: Specificity</b> Students' answers are specific, not overly general.	100%	160	100%	160
		144		155
<b>Organization</b> Students write in a coherent and organized way.	90%	144	97%	155
		160		160
<b>Use of Language</b> Students use appropriate language and grammar.	100%	160	100%	160

## Cohort Level Performance- The Essays: Writing Skills

Like refined test-taking skills, refined writing skills allow students to more fully exploit their legal knowledge to their advantage, turning legal knowledge into legal know-how. As indicated in the skills analysis box to the left, except for the skill of critical reading, the overwhelming majority of students in this cohort exhibited writing skills that, at best, meet the expected performance level or, at worst, fall below this standard. To put it differently and maybe more helpfully, when it comes to the discrete writing skills that contribute to successful legal analysis, few students in this cohort exceeded the expected performance level.



# Writing Assessment: Writing Practicum

## C: Writing Practicum

Class Average Score	40%
National Average Score	31%

	Weight	Component Scores				Number of low scores			
		I	R	A	C	I	R	A	C
		2.1	1.3	1.4	1.7				
Is the fee agreement enforceable?	10%	3.0	2.2	2.0	2.1	54	105	136	78
Did Tomas's signature on the letter of April 23 constitute client consent?	25%	1.9	1.2	1.3	1.5	111	158	158	97
Did the May 1 Memo from Pasada to Dark cure the defect?	25%	1.9	1.1	1.2	1.4	107	160	155	105
Was the fee agreement unconscionable?	20%	2.8	1.6	1.7	2.4	64	154	149	43
Does Pasada have any viable defenses under Rule 701.2 (g)?	20%	1.7	0.8	1.2	1.1	121	160	159	132

### Cohort Level Performance- The Practicum: IRAC Skills

The *Practicum*, unlike the *Essays*, does not test a student's external knowledge of legal rules. In the *Practicum*, a closed legal universe is created, wherein the relevant legal rules of a fictional jurisdiction are provided to each student. In this way, the *Practicum* tests a student's legal skills or know-how independent of a student's prior knowledge of specific rules of law. On this part of the Diagnostic, students were asked to write a short memorandum on whether a fee-splitting agreement satisfied the professional conduct rules of a fictional jurisdiction.

On this writing task, the Albany cohort had mixed results, depending on the perspective. In a comparison with the national average, the cohort had the better performance, scoring nine points higher. Nevertheless, this score is shy of the expectation standard (a 50% score for any writing task) by a not insignificant ten-point margin.

In terms of the IRAC components, the cohort had consistent success in discussing the first graded discussion. For this discussion, each component score at least met the performance expectation. However, the cohort did not replicate this success in any other aspect of this writing task. Interestingly, for a writing task in which the rules to be used are provided to the students, the cohort's lowest component score on four of the five graded discussions occurred in IRAC's *Rules* (R) phase.

### Cohort Level Performance- The Practicum: Writing Skills

Most students exhibited writing skills that at best met the expected performance level. To put this differently and maybe more helpfully, when it came to the discrete writing skills that contribute to successful legal analysis, few students in this cohort exceeded the expected performance level with consistent demonstrations of writing excellence.

## Skills Analysis

	Students wit 68	
	Percent	156
Critical Reading	100%	160
Reasoning	100%	160
Analysis: Sorting Facts to Law	100%	160
Analysis: Relevance & Prioritization	100%	160
Analysis: Applying a Rule	100%	160
Analysis: Multidimensionality	100%	160
Analysis: Specificity	100%	160
Organization	100%	160
Use of Language	100%	160



# Summer 2020 1L Diagnostic Report



# 2L DIAGNOSTIC REPORT:

## Summer 2020

### Albany Law School

80 New Scotland Ave  
Albany, NY 12208  
Students Tested: 126  
Test Dates: Jul-Sept 2020

### ABOUT THE ASSESSMENT

Students were given a 4-hour diagnostic exam. The exam consists of 80 multiple-choice questions across five MBE subjects and provides assessments of both students' substantive knowledge and students' test-taking skills; and a three-part writing exercise requiring students to respond to two essay questions and one performance-test question.

### SUBJECT COVERAGE AND MAKEUP OF THE EXAM

The coverage area for the multiple choice questions (MCQs) comes from a combination of several criteria. First, 2L law students nationwide have taken basic classes in Torts, Contracts, Real Property, Criminal Law, and Federal Civil Procedure. Second, the National Conference of Bar Examiners (NCBE) has identified these subjects among those that will be tested on the Multistate Bar Examination (MBE). The NCBE has also released outlines highlighting the core topics within each tested subject, including a percentage breakdown of the coverage of each topic area on the MBE. Kaplan Bar Review's staff has assembled an 80-question multiple-choice test based on these topic breakdowns and their own expertise as MBE teachers and lecturers. Similarly, our staff has crafted essay questions designed to measure students' writing abilities against selected topics within the same subjects.

### WHAT THE ASSESSMENT MEASURES

GPA and class rank are typical standards used to identify at-risk students, but these numbers provide little insight into the reasons behind poor performance. The diagnostic measures students' knowledge and analyzes their academic skills in order to address their underlying needs.

### KNOWLEDGE

The assessment will highlight subject areas and topics in which students have demonstrated gaps in foundational knowledge.

- Students' percentage of correct responses within each subject are displayed along with a breakdown of specific topics covered by each question on the test.
- Student performance is measured across an expected range to account for variances in item and subject matter difficulty.

### SKILLS

The diagnostic evaluates performance based on critical academic skills.

- The assessment measures students' skills in areas such as Critical Reading, Reasoning, and Analysis.
- In addition to explaining what students got wrong, the cohort report and individual student reports will explain why students underperformed. For example, students may have failed to spot an issue, or may have had problems selecting the most specific answer to a given question.

### PERFORMANCE OVERVIEW

Number out of 126 students with results at or above expected performance:

	MCQ Test	Essay A	Essay B	Writ. Pract.
Torts	98	51		
Contracts	98			
Real Property	108		63	
Criminal Law	85			
Fed Civil Proc	50			
Test Skills	102			69
Knowledge	86			

Kaplan sets the level of expected performance on the multiple choice test by looking at results from a national sample of student test-takers. 2L students are assessed against a baseline of expected performance as measured against other 2L students who have covered the same subjects and topics.

### IN THIS REPORT:

- Summary: Multiple Choice Test
- Summary: Writing and Practice Skills Test
- Summary: Knowledge and Skills Matrix
- Multiple Choice: Subjects
- Multiple Choice: Wrong Answer Analysis
- Multiple Choice: Item Analysis
- Writing: IRAC Analysis and Skills Analysis
- Writing: Writing Practicum
- Student Roster
- Next Steps
- Individual Student Reports

# Summary: Multiple Choice Test

## MBE Subjects: Level of Expected Performance

The following graph shows how students performed in each subject on the multiple-choice assessment:



Based on a nationwide sample of students who took this same test, an estimated expected performance level for students on track to pass the bar exam was determined.

### LEVEL OF EXPECTED PERFORMANCE: MCQs

For each of the five MBE subjects tested on the 2L Diagnostic administered for Albany Law School, the level of expected performance is a comparative norm used to assess the nationwide sample of students who have taken this same diagnostic set of multiple-choice questions. The graphs on this page compare the performance of this Albany cohort to this expected level of performance.

### Cohort Level Performance - by MBE Subject

Overall, with respect to expected performance levels, this Albany cohort was fairly successful. In four of the five subjects, a sizable majority of the cohort met or exceeded performance expectations. Moreover, in three of the five subjects, at least a quarter of the cohort fully exceeded our performance standards.

Relative to performance expectations, the cohort's strongest performance occurred in *Real Property*. Not only is this the subject with the smallest portion below expectations but also it is the subject with the largest portion above our expectation range. Only a seventh of the cohort scored below our expectation level. Meanwhile, almost half of the cohort exceeded our performance standard.

After *Real Property*, the cohort's strongest performance was in *Contracts*. This subject had the second smallest portion of the cohort below expectations and the second largest portion of the cohort above this standard. While less than a quarter of the cohort scored below expectations, more than a quarter of the cohort exceeded our expectations for the *Contracts* MCQs.

The cohort was also fairly successful—although to a lesser degree—in the subjects of *Torts* and *Criminal Law*. In *Torts*, less than a quarter of the cohort performed below expected levels, while almost a fifth of the cohort performed above these levels. In *Criminal Law*, almost a third of the cohort missed our expectation mark, while a quarter of the cohort not only met but also exceeded this mark.

Finally, relative to expected performance levels, the cohort's weakest performance occurred in *Federal Civil Procedure*. This was the only subject for which a majority of the cohort performed below our expectation standard. It was also the only subject for which less than an fifth of the cohort performed above this standard. Indeed, only about one student in thirty did so.

### Cohort Level Performance- MCQ Skills v MBE Knowledge

All of the multiple-choice questions on the Diagnostic are tagged as either primarily *knowledge-based* or primarily *skills-based*. Because law school is more focused on teaching the substantive law than on teaching test-taking skill, our expectation range for *knowledge-based* questions is higher than our expectation range for *skills-based* questions. That being said, relative to our expectation norm, Albany students performed better on the *skills-based* questions than on the *knowledge-based* questions. On *skills-based* questions, half of the cohort exceeded our expectation range and less than a fifth of the cohort fell short of this range. In contrast, on *knowledge-based* questions, less than half of the cohort bested our expectations, while almost a third fell short of our expectations.

## Skills v. Knowledge: Level of Expected Performance

Each multiple-choice question was focused on measuring a student's knowledge of the law or a student's test-taking skills. This graph shows how well students performed on both question types:



Based on a nationwide sample of students who took this same test, an estimated expected performance level of students on track to pass the bar exam was determined.

# Multiple-Choice: Subjects

## Multiple-Choice Assessment

Based on a nationwide sample of students who took this same test, an estimated expected performance of students on track to pass the bar exam was determined. The school's performance is compared to this nationwide sample below:

	Items	Correct Resp.	Median Score	Typical Range	Student Performance:	
					Below Range	Within or Above Range
<b>Torts</b>	16	62%	10	9 - 11	22%	78%
Basic Qs	7	68%	5			
Difficult Qs	4	40%	2			
<b>Contracts</b>	16	58%	9	8 - 10	22%	78%
Basic Qs	5	69%	4			
Difficult Qs	1	31%	0			
<b>Real Property</b>	16	63%	10	8 - 10	14%	86%
Basic Qs	7	76%	5			
Difficult Qs	4	50%	2			
<b>Criminal Law</b>	16	61%	10	9 - 11	33%	67%
Basic Qs	3	79%	2			
Difficult Qs	2	55%	1			
<b>Fed Civil Procedure</b>	16	37%	6	7 - 9	60%	40%
Basic Qs	6	44%	3			
Difficult Qs	3	20%	0			
<b>Testing Skills</b>	25	50%	13	10 - 12	19%	81%
Basic Qs	8	59%	5			
Difficult Qs	5	36%	2			
<b>Knowledge</b>	55	59%	33	31 - 33	32%	68%
Basic Qs	20	69%	14			
Difficult Qs	9	42%	4			

## Recommendations

In terms of the bar exam, students should focus on topics that will yield the highest possible return for their efforts. Topics such as Negligence, Formation, Rights in Land, Crimes, and Pretrial Procedures are almost always among the most heavily tested topics on the bar exam, so these are where the largest chunks of get-able points will be found. In terms of targeting areas of weakness, students should focus on those areas which provide the greatest opportunity for score improvement. An area might not be a student's absolute weakest area, but if the student is underperforming in an area and it is somewhat heavily tested, it might well be the best area to focus one's time and energies. Finally, making sure the first-year curriculum provides adequate coverage of all areas frequently tested on the bar exam will allow professors to provide more effective coverage of these topic area, including any in which students have tended to underperform.

### Cohort Level Performance- By Subject By Question Difficulty

For each subject, we tap into a cohort's relative depth of understanding by comparing the cohort's performance across difficulty levels. Not surprisingly, we see different patterns emerge depending on the subject.

Question difficulty's overall impact on the cohort's performance is measured when we compare the cohort's percent correct on the set's basic questions with its percent correct on the set's more challenging questions. When we make such a comparison, we observe impacts of roughly between 25 and 40 points. Interestingly, for four of the subjects, the impacts are in the mid-to upper-20s. The outlier occurred in *Contracts*, where the impact was in the upper-30s.

By comparing first the cohort's percent correct on basic questions to its percent correct on mid-level questions and then the cohort's percent correct on these mid-level questions to its percent correct on the challenging questions, we also can observe the pattern of question difficulty's impact on cohort performance. Only in *Contracts* do we see a pattern consisting of two double-digit drops in the cohort's percent correct. In all other subjects, only one of the two shifts in question difficulty corresponded to a double-digit drop-off in performance.

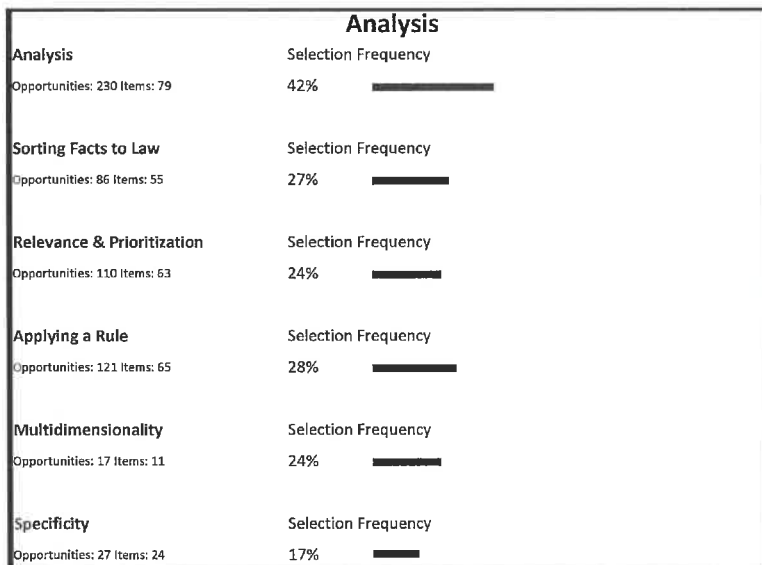
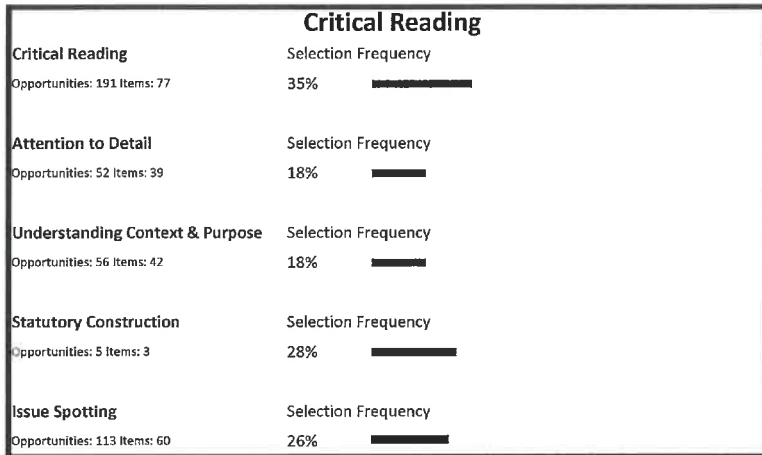
As for the other four subjects, two are noteworthy for their pattern of impact. In *Criminal Law*, the shift in question difficulty from mid-level to challenging questions correlates with a negligible drop in the cohort's performance measure. In *Torts*, the expected negative correlation between question difficulty and performance actually only appears in the shift from mid-level to challenging questions.

### Cohort Level Performance- Skills By Question Difficulty and Knowledge By Question Difficulty

When we divide the MCQs between those questions that are relatively *skills-based* and those questions that are relatively *knowledge-based*, we see that question difficulty impacted the cohort's performance on these two question types in ways that are somewhat similar and somewhat different. First, in terms of overall impact, both *skills-based* questions and *knowledge-based* questions had a drop-off of roughly 25 points between the cohort's performance on basic questions and its performance on challenging questions. Second, in terms of the pattern of impact, *knowledge-based* questions manifest two double-digit drop-offs of roughly equal size, while *skills-based* questions manifest only one double-digit drop-off, which was twice the magnitude of the smaller drop-off.

# Multiple-Choice: Wrong Answers

## Multiple Choice: Skills Analysis



### Student Responses

Students' incorrect responses on the multiple-choice questions were charted against a set of academic skills crucial to success in law school. In this way, we are able to track incorrect responses against a particular skill deficiency.

The chart to the left shows the number of items (questions) that were tagged with each skill, as well as the number of opportunities (answer choices) that were tagged to each skill. A high selection frequency generally indicates a higher deficiency in that particular skill area, although certain skills appear more frequently than others, and therefore are considered more significant.

**Critical Reading:** This category measures the ability to read a passage closely and to identify important facts and legal concepts. Critical Reading includes four component skills, which are Attention to Detail, Understanding Context & Purpose, Statutory Construction, and Issue Spotting.

- **Attention to Detail:** This is the ability to locate specific elements of facts and/or laws that are germane to the overall question presented for analysis.

- **Understanding Context and Purpose:** This is the ability to determine the intent or function behind facts and/or laws in the question presented for analysis.

- **Statutory Construction:** This is the ability to parse out the specific meaning of statutory language and to apply that language in a precise way.

- **Issue Spotting:** This is the ability to identify all issues in a fact pattern, from the obvious to the less readily apparent.

**Reasoning:** This category measures the cognitive skills needed to work through a problem and reach a legal proposition or conclusion. This includes the various types of reasoning: inductive reasoning, deductive reasoning, analogical reasoning, and synthesis of information.

**Analysis:** This category measures the ability to argue towards a conclusion through the application of legal rules or propositions to facts. Analysis contains several component skills, which are Sorting Facts to Law, Relevance & Prioritization, Applying a Rule, Multidimensionality, and Specificity.

- **Sorting Facts to Law:** This is the ability to identify patterns and align "matching" legal rules to facts.

- **Relevance & Prioritization:** This is the ability to focus on the most important and clearly germane aspects of a question.

- **Applying a Rule:** This is the ability to determine the correct rule of law and apply that rule correctly to a set of facts.

- **Multidimensionality:** This is the ability to see multiple sides of an issue and to identify conflicting or contradictory arguments.

- **Specificity:** This is the ability to choose the best possible answer out of several possibilities.

# Multiple-Choice: Wrong Answers

## Multiple Choice: Response Patterns

Item	Percentage of students choosing this type of wrong answer		Subject	Correct Answer	A	B	C	D
<b>Critical Reading</b>								
#45	71%		C	D	1%	68%	2%	28%
#76	70%		T	B	33%	25%	37%	4%
#47	60%		K	A	31%	2%	58%	10%
<b>Attention to Detail</b>								
#47	60%		K	A	31%	2%	58%	10%
#33	53%		F	B	38%	45%	15%	2%
#60	53%		F	C	26%	21%	25%	27%
<b>Understanding Context &amp; Purpose</b>								
#79	54%		T	A	23%	5%	21%	49%
#17	53%		T	B	38%	46%	4%	11%
#36	53%		F	A	30%	13%	53%	3%
<b>Statutory Construction</b>								
#75	37%		K	B	4%	62%	25%	8%
#29	28%		T	B	28%	53%	18%	0%
#38	19%		P	C	23%	19%	56%	2%
<b>Issue Spotting</b>								
#79	75%		T	A	23%	5%	21%	49%
#45	71%		C	D	1%	68%	2%	28%
#76	70%		T	B	33%	25%	37%	4%
<b>Reasoning</b>								
#35	85%		F	A	15%	2%	21%	61%
#40	83%		F	B	30%	17%	43%	10%
#69	74%		P	D	40%	6%	33%	21%
<b>Analysis</b>								
<b>Sorting Facts to Law</b>								
#77	79%		F	A	20%	17%	10%	52%
#71	70%		F	D	13%	6%	51%	30%
#45	68%		C	D	1%	68%	2%	28%
<b>Relevance &amp; Prioritization</b>								
#6	70%		F	C	17%	33%	13%	37%
#76	70%		T	B	33%	25%	37%	4%
#27	67%		F	D	17%	6%	44%	33%
<b>Applying a Rule</b>								
#35	85%		F	A	15%	2%	21%	61%
#69	79%		P	D	40%	6%	33%	21%
#76	74%		T	B	33%	25%	37%	4%
<b>Multidimensionality</b>								
#60	75%		F	C	26%	21%	25%	27%
#18	51%		F	D	6%	7%	38%	48%
#43	32%		K	D	2%	32%	1%	66%
<b>Specificity</b>								
#40	43%		F	B	30%	17%	43%	10%
#66	40%		K	A	57%	40%	2%	1%
#10	37%		F	B	37%	37%	19%	6%

## Student Responses

This page of the report displays the questions with the highest percentage of incorrect student responses within each skill category.

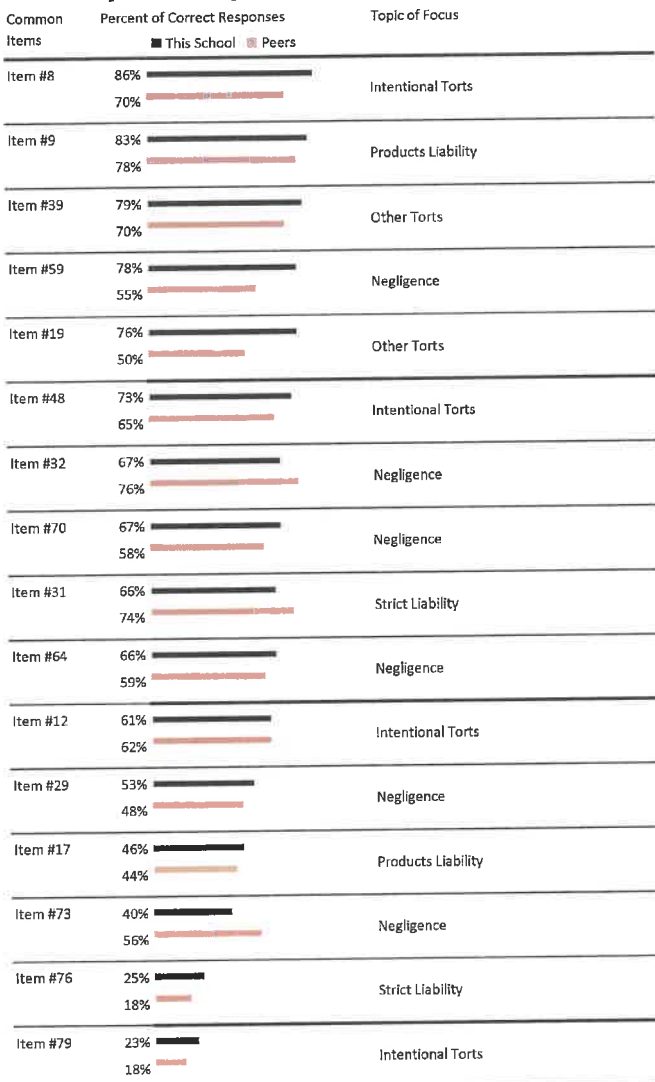
For each question displayed to the left, the chart shows the percentage of students who chose an incorrect answer that was coded to the skill category in question, as well as the subject of the question and the correct answer for each. The incorrect answer choices coded to that particular skill deficiency are bolded, while the correct answer choice is displayed in green.

For each item, this provides a visual representation of the breakdown of student responses. In particular, this chart shows whether students primarily gravitated towards one or more answer choices. This shows that students may have been particularly distracted by one or more of the incorrect answer choices on a given question. Additionally, a spread of student responses across the four answer choices indicates that students may have been guessing as to the correct answer.



# Item Analysis: Torts

## Item-by-Item by Difficulty



### Item Analysis: Generally

The items on the MCQ portion of the Diagnostic vary in level of difficulty. For each MBE subject, this section ranks the individual items tested by the percent of the cohort answering them correctly. And for each item, the cohort's performance is compared to the national average for that item. Overall, on the 80 MCQs in this Diagnostic, this Albany cohort outperformed the national average by more than seven points, answering more than 56 percent of these questions correctly. At the item level, the cohort outperformed the national average for more than three-fourths (63) of the 80 individual questions tested. At the subject level, the cohort outperformed the national average for each of the five subjects tested, doing so by between four and eleven percentage points.

### Item Analysis: Torts

Overall, on the Torts MCQs, the Albany cohort topped the national average for this subject. The cohort answered roughly 62% of these questions correctly, topping the national average by almost six points.

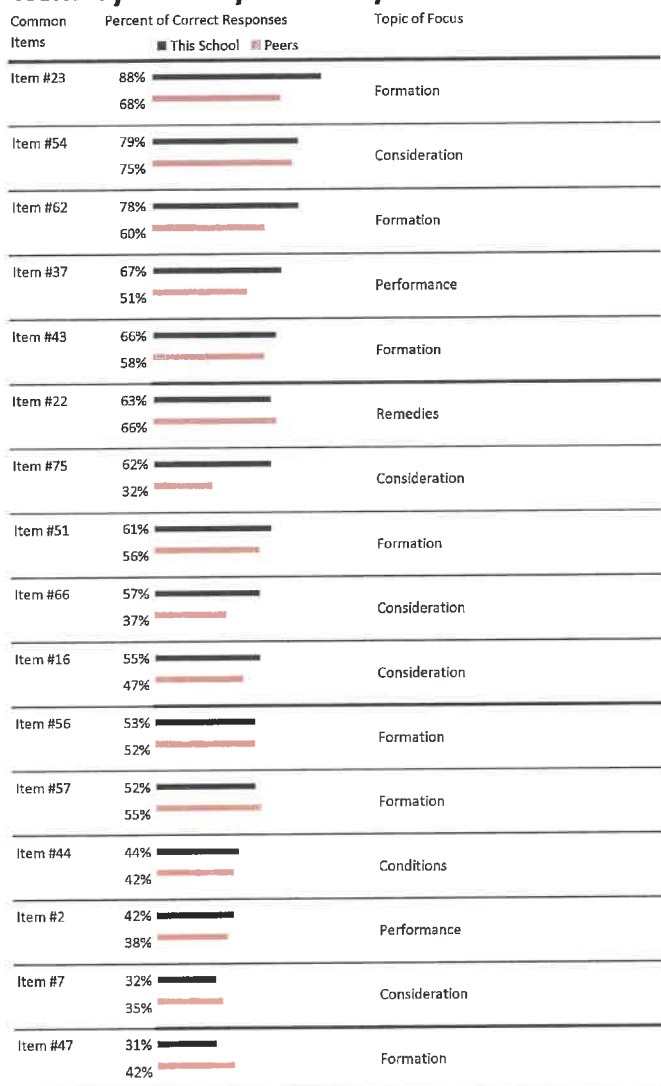
At the item level, the Albany cohort outperformed the national average for twelve of the sixteen questions in the set. On a quarter of this set's questions, the school and national cohorts performed within five points of each other. On another quarter of the questions, the two cohorts had performances that diverged by a double-digit amount. For this subset of questions, the Albany cohort had the double-digit advantage three times and the double-digit deficit once.

At the topic level, relative to national averages, the Albany cohort was generally successful. In its worst topic-level performance, in the topic of *Strict Liability*, the cohort still roughly matched the topic's national average. In *Negligence*, the cohort outperformed the national average for two-thirds of the tested items and by three points overall. In *Products Liability*, the cohort outperformed the national average for each question tested and topped the national topic average by four points. In *Intentional Torts*, the cohort outperformed the national average for all but one of the items tested and outperformed the national topic average by seven points. Finally, in *Other Torts*, the cohort outperformed the national figure for each item tested and, for the topic as a whole, it topped the national average by almost eighteen points.



# Item Analysis: Contracts

## Item-by-Item by Difficulty



## Item Analysis: Contracts

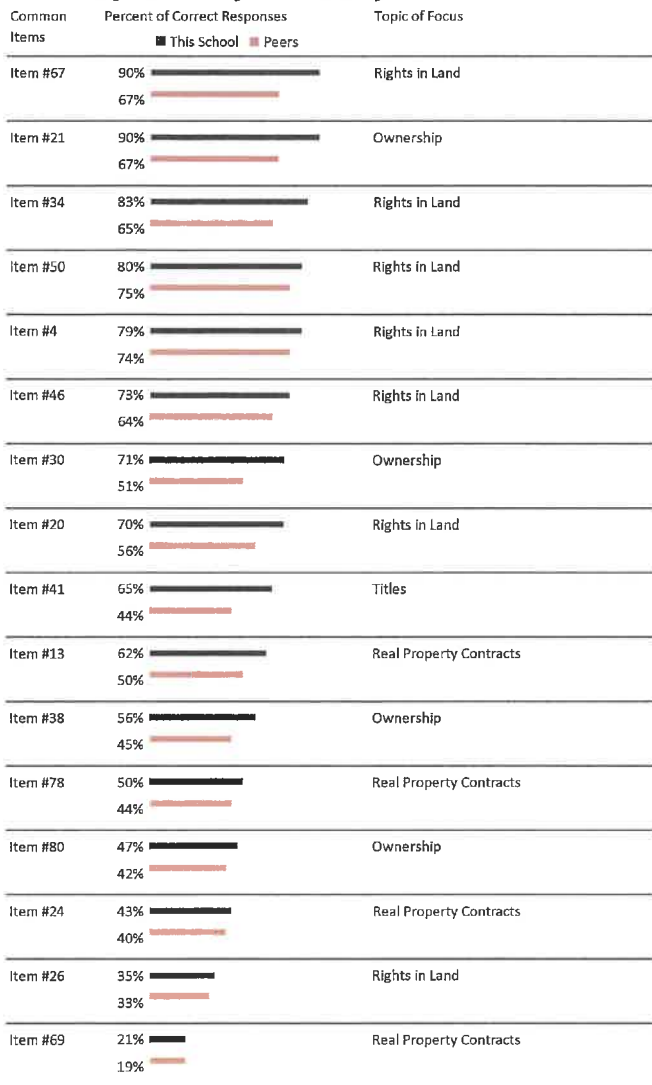
Overall, in the subject of Contracts, the students in the Albany 2L cohort topped the national average by more than seven points. While the national average is roughly 51 percent correct, the Albany cohort answered 58 percent of the questions correctly.

At the item level, consistent with its overall performance in this subject, the cohort outperformed the national average on twelve of the set's sixteen questions. Interestingly, on half of the set's questions, the school and national cohorts performed within five percentage points of each other. On about a third of the questions in the set, the school's cohort topped an item's national average by at least ten points. On only one question did the school's cohort fall short of an item's national average by such an amount.

At the topic level, the Albany cohort was consistently successful. In *Formation*, the cohort outperformed the national average for particular items about two-thirds of the time and topped the topic's national average by almost six points. In *Performance Obligations*, the cohort topped the national topic average by almost eight points, while outperforming the national figure for each tested item. Finally, in *Consideration*, the cohort topped the national average for all but one of the tested items. Impressively, the cohort outperformed this national topic average by twelve points.

# Item Analysis: Real Property

## Item-by-Item by Difficulty



## Item Analysis: Real Property

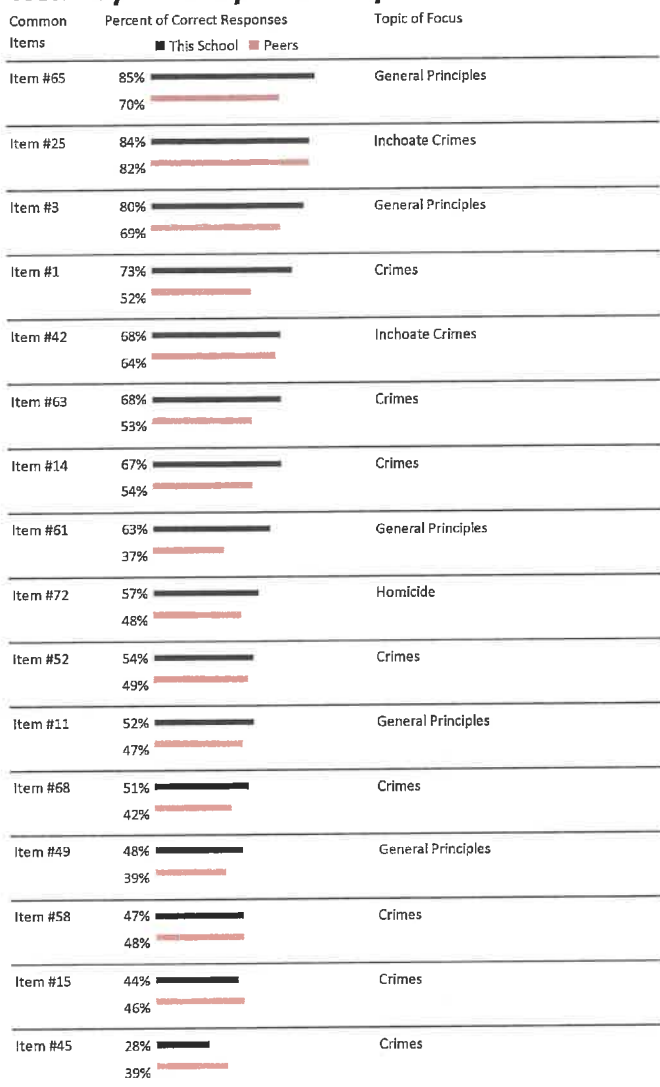
Overall, on the Real Property set of questions, the students in the Albany 2L cohort had its strongest subject-specific performance. Here, on average, its members answered almost two-thirds of the questions correctly. In doing so, it topped the national average for this subject by eleven points.

At the item level, impressively, the cohort outperformed the national average on each of the set's sixteen questions. On half of these questions, the cohort topped the national average by a double-digit amount.

At the topic level, the Albany cohort was consistently successful and sometimes quite successful. In *Real Property Contracts*, the cohort outperformed the national average by more than five points. In *Rights in Land* and *Ownership*, the cohort topped the national topic-specific average by eleven and fifteen points, respectively.

# Item Analysis: Criminal Law

## Item-by-Item by Difficulty



## Item Analysis: Criminal Law

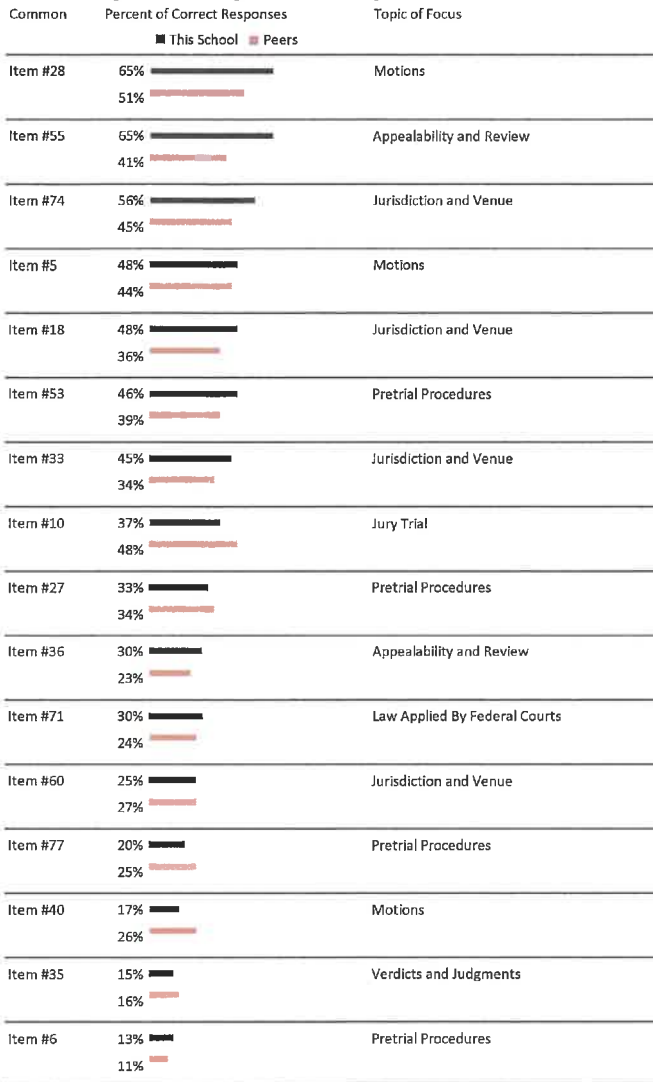
Overall, on the Criminal Law MCQs, the Albany 2L cohort again topped the subject's national average. Nationally, 2Ls average about 52 percent correct on this set of questions. The Albany cohort's average was eight points higher than this.

At the item level, the cohort outperformed the national average for thirteen of the sixteen Criminal Law questions tested. On six questions in this set, the cohort performed within five points, plus or minus, of an item's national average. On another six questions, the cohort outperformed an item's national average by a double-digit amount. On only one question did the cohort fall short of an item's national average by such an amount.

At the topic level, the Albany cohort had consistent success. In *Crimes*, the cohort topped the national average for two-thirds of the items tested and, overall, topped the national average by more than six points. In both *Inchoate Crimes* and *General Principles*, the cohort outperformed the national average for each item tested. In *Inchoate Crimes*, the cohort's average was three points higher than the national average for the topic. In *General Principles*, the cohort had its strongest showing, topping the topic's national average by thirteen points.

# Item Analysis: Federal Civil Procedure

## Item-by-Item by Difficulty



## Item Analysis: Federal Civil Procedure

Overall, on the Federal Civil Procedure questions, the Albany cohort again outperformed the national subject-specific average. While 2Ls score about 33% correct in this subject, the Albany cohort scored almost five points higher.

At the item level, the cohort outperformed the national average for ten of the sixteen Federal Civil Procedure questions. On about a third of the questions in the set, the cohort performed within five points of an item's national average. On another third of the questions, the cohort topped an item's national average by ten points or more. Meanwhile, there was only one question on which the cohort's average score was shy of that question's national average by at least ten points.

At the topic level, the cohort was generally successful. In its worst-performing topic—*Pretrial Procedures*—the cohort still matched the topic's national average. In each of the other major topics tested, the cohort outperformed an item's national average more often not and topped the topic-level national average by at least three points. Indeed, in *Jurisdiction-Venue*, the cohort's average was eight points higher than the national figure. In *Post-Trial Matters*, the cohort topped the national average by ten points.

# Writing Assessment: IRAC Analysis

## A: Torts & Contracts

		Class Average Score National Average Score				46% 44% Number of low scores			
Weight		I	R	A	C	I	R	A	C
		2.4	1.3	1.8	1.9				
Did Priscilla and Damon form an enforceable contract?	35%	3.1	1.7	2.0	2.2	37	121	118	70
If so, what defenses to the contract does Priscilla have?	15%	1.4	0.5	1.2	0.8	107	123	123	117
Will Priscilla prevail in a negligence suit?	35%	3.1	1.7	2.5	2.7	31	121	58	33
If Priscilla is found to be partly at fault for her fall, will she be barred from recovery?	15%	0.3	0.0	0.3	0.3	123	123	123	123

### Cohort Level Performance- The Essays: IRAC Skills

Overall, on the Essay portion of the Diagnostic, the Albany cohort had mixed results. From the perspective of national averages, the cohort was fairly successfully insofar as it outperformed the national average for each of the two essay questions. On the *Torts-Contracts Essay*, the school's cohort bested the national average by two points. On the *Real Property Essay*, the school's cohort bested the national average by a seven-point margin. However, from the perspective of performance expectations, these performances fell just a little shy of our expectation standard (a score of at least 50 percent).

On the *Torts-Contracts Essay*, an interesting—even if common—pattern shows itself. Here, the cohort performed better on the two issues concerned with the plaintiff's *prima facie* case and much less well on the two issues concerned with the defendant's affirmative defenses to the plaintiff's claims. Indeed, for this cohort, this pattern is particularly extreme. In contrast to what we observe in the *Torts-Contracts Essay*, the cohort's performance on the *Real Property Essay* was more consistently maintained across its three discussions.

## B: Real Property

		Class Average Score National Average Score				49% 42% Number of low scores			
Weight		I	R	A	C	I	R	A	C
		2.6	1.6	2.0	1.6				
Can Wilma succeed in her trespass action?	40%	2.7	1.4	1.9	1.7	49	123	121	83
Did the adventure seekers obtain title to the property through adverse possession?	40%	2.6	1.9	2.1	1.6	66	110	101	92
Suppose that Wilma had been adjudicated insane and confined to a mental hospital from 2003-2008. Would that change the ownership status of the land?	20%	2.4	1.6	1.9	1.7	74	117	113	82

In terms of IRAC components, the cohort performed best when *spotting issues* (I). On both essays, the cohort's *overall* component score for issue-spotting was the highest overall component score. Indeed, for six of the seven graded discussions across the two essays, the cohort's *Issue* (I) score was its highest component score. Not only did the cohort perform best when *spotting issues* but it was also the case that its performance was quite successful relative to our expectation standard and much more so than its performances on IRAC's other phases. For example, the cohort's *issue-spotting* score satisfied our expectation standard on five of the seven graded discussions. Moreover, among these five instances, two times its score was high enough to exceed our expectations (a 3.0 on our 4-point scale). In contrast, the cohort's performances in the three other phases of IRAC generated only five scores combined that met our expectation standard, and none of these scores exceeded expected performance levels.

Finally, it is worth noting that, while the cohort's performances on the *Application* and *Conclusion* phases of IRAC generated a few scores that met performance expectations, there were no such scores generated for the *Rules* (R) phase of IRAC. Indeed, the cohort's *Rules* score was its lowest component score in six of the seven graded discussions.

# Writing Assessment: Skills Analysis

## Skills Analysis

The overall grades for the essays were scored against the four parts of the IRAC analysis scoring grid. The essays were also assessed on targeted essay writing skills necessary for the bar exam and given a score from 0 to 4.

	Students with a score of 2 or less			
	Essay A: Torts & Contracts		Essay B: Real Property	
	Percent	Students	Percent	Students
<b>Critical Reading</b> Students identify key facts and spot all of the issues presented.	91%	112	100%	123
<b>Reasoning</b> Students work through a problem to a conclusion in a logical way.	98%	121	99%	122
<b>Analysis: Sorting Facts to Law</b> Students identify and match legal rules to the facts presented.	100%	123	100%	123
<b>Analysis: Relevance &amp; Prioritization</b> Students focus on the most important aspects of a question.	100%	123	100%	123
<b>Analysis: Applying a Rule</b> Students identify and apply the correct rule of law accurately.	89%	109	97%	119
<b>Analysis: Multidimensionality</b> Students argue and identify multiple sides of an issue.	100%	123	100%	123
<b>Analysis: Specificity</b> Students' answers are specific, not overly general.	100%	123	100%	123
<b>Organization</b> Students write in a coherent and organized way.	90%	111	93%	114
<b>Use of Language</b> Students use appropriate language and grammar.	100%	123	100%	123

## Cohort Level Performance- The Essays: Writing Skills

Like refined test-taking skills, refined writing skills allow students to more fully exploit their legal knowledge to their advantage, turning legal knowledge into legal know-how. As indicated in the skills analysis box to the left, the overwhelming majority of students in this cohort exhibited writing skills that, at best, meet the expected performance level or, at worst, fall below this standard. To put it differently and maybe more helpfully, when it comes to the discrete writing skills that contribute to successful legal analysis, few students in this cohort exceeded the expected performance level.



# Next Steps

## Action Items - Working with Individual Student Reports

Immediately following this cohort report is a packet of individual student reports (ISRs) for each student who took the Diagnostic exam. Kaplan has also provided a link to an ISR Review video. We recommend sharing this link with students so that they can better make use of their ISRs, which identify individual strengths and weaknesses in both substantive and skill areas. When meeting with individual students, academic support personnel should use this information as a starting point for discussion.

With the guidance provided by both the ISRs and academic support personnel, students can zero in on those MCQ subjects where they underperformed as compared to their peers or to normative standards. For example, each ISR includes, for each subject tested on the Diagnostic, suggested topics of focus and additional study. Students can also examine their overall and relative performance on the essays and the performance test. Each ISR will give students recommendations for further development of their skills, particularly in areas where they were weak. Students should keep these recommendations in mind as they continue with their substantive classes, as these tips can be helpful for exam study regardless of the subject matter being taught.

## Action Items - Steps for Albany to Consider

On the multiple-choice questions, relative to expected performance levels, Albany's 2L cohort performed successfully in four of the five subjects tested. In all subjects but *Federal Civil Procedure*, no more than a third of the cohort fell short of our performance expectation. Indeed, in *Torts* and *Contracts*, less than a quarter of the cohort performed below expectation levels, while in *Real Property*, less than a sixth of the cohort did so. When considering the portion of the cohort exceeding our expectation range, we observe similar successes. In all but *Federal Civil Procedure*, at least a sixth of the cohort topped our expectation standard. For example, in *Torts*, nearly a fifth did so. In *Contracts* and *Criminal Law*, more than a quarter did so. And most impressively, in *Real Property*, almost half of the cohort exceeded expectations.

On the multiple-choice questions, relative to national averages, Albany's 2L cohort performed successfully in all five of the subjects tested. In both *Federal Civil Procedure* and *Torts*, the cohort's average performance topped the national subject-specific average by between four and six points. In *Contracts* and *Criminal Law*, the average performance of a cohort member was better than the national average for each of these two subjects by between seven and nine points. Finally, in *Real Property*, the Albany cohort outperformed the subject's national average by eleven points. At the topic level, with but one exception, the cohort outperformed average national performances in each major topic tested. The cohort's better performing areas relative to national averages included the following: *Other Torts* (+18), *Ownership* (+15), *General Principles* (+13), *Consideration* (+12), *Rights in Land* (+11), and *Post-Trial Matters* (+10). Its two weakest topic-level performances were in *Strict Liability* (-1) and *Pretrial Procedures* (+1). In all other instances, the Albany cohort topped a major topic's national average by at least three points.

For the writing tasks, the Albany cohort's relative success depends upon our perspective. Considering the cohort's performance through the lens of our performance expectations, the cohort was, at best, modestly successful. For all three tasks, the cohort fell **short of expectation** standard, although it did so by only small margins. Considering the cohort's performance through the lens of national averages, however, the cohort's success was more readily self-evident. For each of the writing tasks, the Albany cohort topped the national average. Indeed, for the *Real Property* Essay and the *Practicum*, the cohort topped the national average by a considerable margin, doing so by seven and eighteen points, respectively. In terms of IRAC performance, the cohort was fairly successful when it came to spotting issues but lacked success when it came to articulating applicable rules.

Based on these observations, Kaplan makes the following conclusions:

With respect to the substantive law covered in this Diagnostic, this cohort of students will benefit from refresher exercises that will help students to refine, reinforce, and retain their knowledge and related know-how even as their legal education continues and broadens. Ideally, these exercises would, *in toto*, refine substantive understanding and reinforce memory while giving students opportunities to practice the application of their legal knowledge from memory. With respect to writing skills, this cohort will benefit from additional opportunities to practice and refine their writing. While the cohort consistently outperformed the average national performance, the cohort's own performance suggests opportunities for improvement when it comes to addressing issues related to affirmative defenses and when it comes to the *Rules* phase of legal argumentation.

Based on these conclusions, Kaplan offers the following next steps:

**Global Approach** – First-Year Mapping. Oftentimes, there are not enough semester hours to cover the entirety of a subject; therefore, professors must use their discretion to decide what will be covered in their courses. In exercising this discretion, professors can be guided by understanding what the topical coverage and relative weight of those topics are on the bar exam. While professors should not feel obliged to teach only what is tested, they should appreciate that their choices can support students' goal of passing the bar exam. This is not simply a matter of teaching to the test; it's a professional necessity for all law students if they are to realize the school's and their professors' wishes that they become successful legal professionals. In advising professors and guiding their curriculum decisions, it is also worth noting that students can always benefit from additional practice with multiple-choice questions. For example, professors who use multiple-choice questions on their exams can provide students with sample questions from past exams and use these to explain (1) common wrong answer types, (2) why they are tempting, and (3) how they can be strategically avoided. Focusing on the skills behind multiple-choice questions will help students succeed in their substantive classes as well as lay a foundation for strong performance on the bar exam.

**ASP Supplemental Approach** – ASP can work in conjunction with 1L professors, providing workshops aligned with what the professors are teaching. For instance, when a *Torts* professor covers the topic of Negligence, the ASP can provide parallel workshops to work on the legal skills used to exploit substantive legal knowledge to accomplish a lawyerly task or to otherwise demonstrate legal know-how. Testing knowledge through various testing modes allows students to gain an appreciation for not only the law but also how it will be tested. Writing exercises focused on the individual components of IRAC would also help students both to learn the law and to think like a lawyer.

**ASP Individual Approach** – Upper-level review can target both skills and substantive knowledge. Focus can be placed on areas of significant weakness, where "significance" is conceived not only in absolute terms but also in terms of relevance to the bar exam. For instance, the Law School can take the skill tags that students missed most and incorporate them into single classes on a syllabus. Students, for example, could substantively walk through a particular legal topic and then apply that knowledge in a series of multiple-choice and writing exercises.

**Kaplan Outreach and Support** – Continue to collaborate with Kaplan to develop exercises and classes to address primary areas of weakness. These areas provide the greatest opportunity for learning. Kaplan is designing, and will soon be offering, several exercises that target specific skills. By targeting instruction to specific skills, students are more apt to reinforce and refine their legal skill set, which in turn will allow them to attack more complicated legal issues with more confidence and success.





# 2020 Upper Level Writing Report



## UPPER-LEVEL WRITING REQUIREMENT ASSESSMENT

### Introduction

In the spring 2020 semester, pursuant to its assessment plan, the assessment committee evaluated papers completed by students in fulfillment of their upper-level writing requirement (ULW). The ULW papers are used to assess, in part, Albany Law School Juris Doctor Learning Outcomes 2 and 3. The papers were reviewed utilizing a rubric developed by the committee. The rubric incorporates performance indicators keyed to the learning outcomes 2 & 3. The rubric for Learning Outcome 2 (Students will demonstrate the ability to communicate effectively in the legal context, in writing) incorporate the following performance indicators (2.1) Students will demonstrate the ability to write in a clear, concise, well-organized, and professional manner appropriate to the audience and context; and (2.2) All communications demonstrate the use of standard rules of grammar, spelling, and punctuation. The rubric for Learning Outcome 3 (Students will demonstrate basic legal research, legal analysis, legal reasoning, and problem-solving skills) incorporate the following performance indicators: (3.1) Students will present a principal theme or argument concerning specialized knowledge of a particular area; (3.2) Students will demonstrate critical legal reasoning and analysis of research material presented; and (3.3) Students will demonstrate basic legal research skills. Four members of the committee evaluated a total of thirty-one papers. However, for a variety of reasons, not all thirty-one papers were used to evaluate the five performance indicators for learning outcomes 2 and 3. Performance indicator 3.1 is the only indicator for which data is available from all 31 papers. Performance indicators 3.2, 3.3, and 2.1 were assessed based on 26 papers. Performance indicator 2.2 was assessed based on 21 papers. The results are as follow:

### Findings

*Students will demonstrate the ability to write in a clear, concise, well-organized, and professional manner appropriate to the audience and context.*

The assessment of Performance Indicator 2.1 was based on twenty-six upper-level writing papers. The writers of ten of the twenty-six papers (38%) were identified as possessing superior work for a law student (advanced). The writers of thirteen of the twenty-six papers (50%) were identified as possessing proficient work for a law student (competent). The writers of three of the twenty-six papers (12%) were found to require substantial revision (developing).

Performance Indicator 2.1

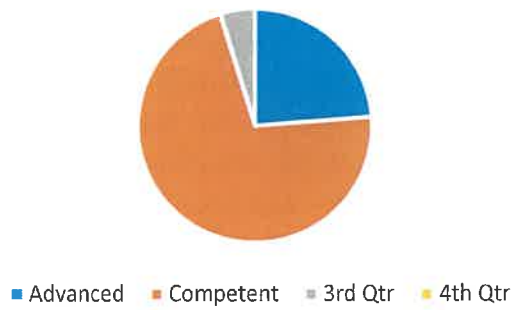


***All communications demonstrate the use of standard rules of grammar, spelling, and punctuation.***

The assessment of Performance Indicator 2.2 was based on twenty-one upper-level writing papers. In five of the twenty-one papers (24%) the writers were identified as possessing consistent and

sustained control writing conventions (advanced). In fifteen of the twenty-one papers (71%) the writers were identified as exhibiting control over most writing conventions (competent). In one of the twenty-one papers (5%) the writer was found to make occasional errors, which were rarely serious enough to interfere with the reader's comprehension (developing).

Performance Indicator 2.2

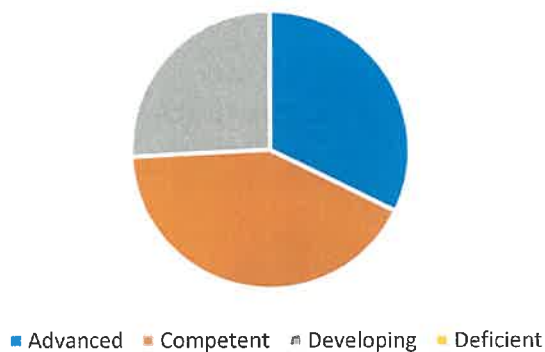


***Students will present a principal theme or argument concerning specialized knowledge of a particular area.***

The assessment of Performance Indicator 3.1 was based on thirty-one upper-level writing papers. In ten of the thirty-one papers (32%) the writers were identified as providing a sophisticated presentation of a principal theme or argument demonstrating an apparently thorough understanding

of the issues and important points (advanced). In thirteen of the thirty-one papers (42%) the writers were identified as exhibiting a well-defined principal theme or argument with apparently important points and issues covered. (competent). In eight of the thirty-one papers (26%) the writer was found to provide a somewhat coherent presentation of a principal theme or argument with the articulation of important points and issues somewhat confusing or inconsistently presented (developing).

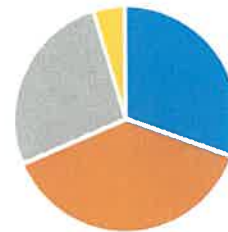
Performance Indicator 3.1



***Students will demonstrate critical legal reasoning and analysis of research material presented.***

The assessment of Performance Indicator 3.2 was based on twenty-six upper-level writing papers. In eight of the twenty-six papers (31%) the writers were identified as having provided entirely well-reasoned conclusions (advanced). In ten of the twenty-six papers (38%) the writers were identified as having provided generally well-reasoned conclusions. (competent). In seven of the twenty-six papers (27%) the writers were identified as having provided somewhat well-reasoned conclusion (developing). In one of the twenty-six papers (4%) the writers conclusions were show to have not been well-reasoned (deficient).

Performance Indicator 3.2

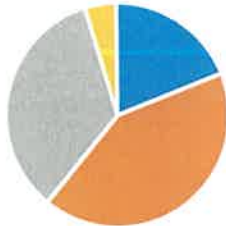


***Students will demonstrate basic legal research skills***

The assessment of Performance Indicator 3.3 was based on twenty-six upper-level writing papers. In five of the twenty-six papers (19%) the writers were identified as providing

■ Advanced ■ Competent ■ Developing ■ Deficient

Performance Indicator 3.3



■ Advanced ■ Competent ■ Developing ■ Deficient

to fully support their own proposals and answers questions raised by the topic (advanced). In eleven of the twenty-six papers (42%) the writers were identified as using appropriate and generally synthesized primary and secondary materials where appropriate to support their own proposals and answers questions raised by the topic. In nine of the twenty-six papers (35%) of the writers were identified as providing inconsistent and

sometimes inappropriately synthesized use of primary and secondary materials support their own proposals and answers questions raised by the topic (developing). In one of the twenty-six papers (4%) the writers did not use appropriately synthesized primary and secondary materials to support their own proposals and answer questions raised by the topic (deficient).

**Conclusions**

The committee finds that the results of the 2020 ULW paper evaluations show that students have been in the law school's program of legal education are meeting learning outcomes 2 & 3. We will continue to assess learning outcomes 2 & 3 per the assessment plan.



**2021 Report on Clinical Course  
Assessments of Learning Outcomes 2&3**





# Albany Law School

## Institutional Assessment in Clinical Courses LO2&3

### 1 - LEARNING OUTCOME #2: DEMONSTRATE ABILITY TO COMMUNICATE EFFECTIVELY IN THE LEGAL CONTEXT, IN WRITING

Students will demonstrate the ability to write in a clear, concise, well organized and professional manner appropriate to the audience and context.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced - Superior work for a law student. The work needs very little revision.	(4)	6	27.27%		
Competent - Proficient work for a law student. The work needs to be revised with moderate input.	(3)	10	45.45%		
Developing - Work needs additional content or skills to be competent. The work requires substantial revision.	(2)	6	27.27%		
Deficient - Work does not meet the standard expected of a law student. The work would have to be completely rewritten.	(1)	0	0.00%		
Insufficient opportunity to assess	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
22/22 (100%)	3.00	0.76			

### 1 - LEARNING OUTCOME #2: DEMONSTRATE ABILITY TO COMMUNICATE EFFECTIVELY IN THE LEGAL CONTEXT, IN WRITING

All communications demonstrate the use of standard rules of grammar, spelling and punctuation.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced - Superior work for a law student. The work needs very little revision.	(4)	10	45.45%		
Competent - Proficient work for a law student. The work needs to be revised with moderate input.	(3)	9	40.91%		
Developing - Work needs additional content or skills to be competent. The work requires substantial revision.	(2)	3	13.64%		
Deficient - Work does not meet the standard expected of a law student. The work would have to be completely rewritten.	(1)	0	0.00%		
Insufficient opportunity to assess	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
22/22 (100%)	3.32	0.72			

### 2 - Comments:

<b>Response Rate</b>	4/22 (18.18%)
<ul style="list-style-type: none"> <li>Students have different levels, between Developing and Competent, for the ability to write clear, concise and well-organized documents. They seem competent in writing in a professional manner and following proper rules of grammar, etc.</li> <li>Over the last few years I have been fortunate enough to have exceptional interns assigned to me. Each of them have demonstrated both strong written and communicative skills. I hope this trend continues as I continue supervising.</li> <li>It is unclear to me whether I am comparing ALS students to other law students, so consider revising instructions in future iterations.</li> <li>It of course depends on the student, but when asked to write an objective memo or a draft decision, we need to do a bunch of substantive and stylistic revisions to make a coherent and thorough end product. I know many students come to law school without the proper foundation, but legal writing is different than most so it takes more time to teach the development of a legal argument.</li> </ul>	

## Albany Law School

### Institutional Assessment in Clinical Courses LO2&3

#### 3 - LEARNING OUTCOME #3: DEMONSTRATE BASIC LEGAL RESEARCH, LEGAL ANALYSIS, LEGAL REASONING AND PROBLEM SOLVING SKILLS

Students will demonstrate basic legal research skills

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced: Thorough and fully synthesized use of primary and secondary materials where appropriate to fully answer all of the questions raised by the assessment	(3)	9	40.91%		2.32
Competent: Appropriate and generally synthesized use of primary and secondary materials to answer the most important questions raised by the assignment	(2)	11	50.00%		
Developing: Inconsistent or sometimes poorly synthesized use of primary and secondary materials to answer some of the questions raised by the assignment	(1)	2	9.09%		
Insufficient opportunity to assess	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
22/22 (100%)	2.32	0.65			

#### 4 - Comments:

**Response Rate** 3/22 (13.64%)

- Each intern I have supervised has had an understanding of legal research and application such that they have never been unable to resolve a problem or at the very least assist in its resolution.
- Most of the students are competent in this area. We have found they are much better in their oral explanation and analysis of the law than written.
- He did an excellent job thoroughly used sources and materials towards a comprehensive final report.

#### 5 - LEARNING OUTCOME #3: DEMONSTRATE BASIC LEGAL RESEARCH, LEGAL ANALYSIS, LEGAL REASONING AND PROBLEM SOLVING SKILLS

Students will demonstrate critical legal reasoning and analysis.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced - Sophisticated and entirely well-reason analysis of the facts and law	(3)	6	27.27%		2.09
Competent- Generally well-reasoned analysis of the facts and law	(2)	12	54.55%		
Developing - Somewhat well-reasoned analysis of facts of law	(1)	4	18.18%		
Insufficient opportunity to assess	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
22/22 (100%)	2.09	0.68			

#### 6 - Comments

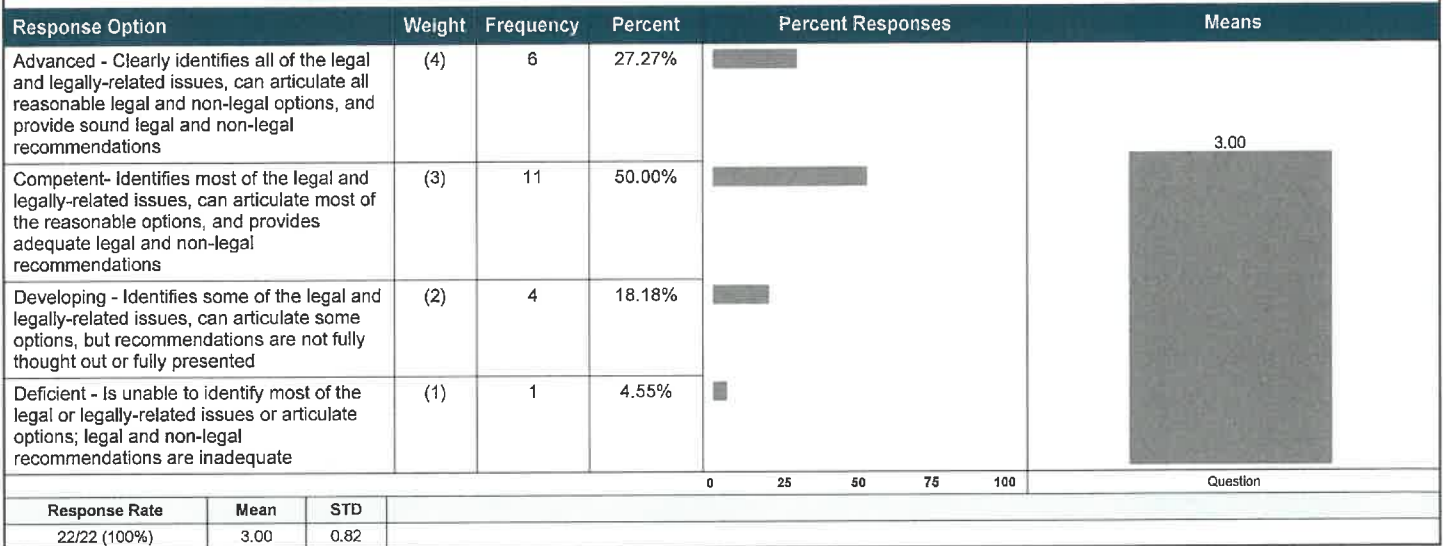
**Response Rate** 3/22 (13.64%)

- Again, different levels depending on the student. Some are quite good at this, but others need to flesh out their writing more to explain their legal analysis, rather than being conclusory.
- Each intern has shown the ability to demonstrate critical legal reasoning. At time, however, the viewpoint is skewed to much on the side of the prosecution rather than looking at the case from a defense perspective which is an important skill to develop when working in criminal law, seeing a case from both sides.
- Students often include irrelevant facts that are not necessary for the analysis. I think that comes with time and knowing the law. The oral presentation of the facts and the law are typically better than written.

**Albany Law School**  
**Institutional Assessment in Clinical Courses LO2&3**

**7 - LEARNING OUTCOME #3: DEMONSTRATE BASIC LEGAL RESEARCH, LEGAL ANALYSIS, LEGAL REASONING AND PROBLEM SOLVING SKILLS**

**Students will demonstrate the ability to solve legal or legally-related problems or concerns by identifying appropriate legal and non-legal recommendations**



**8 - Comments**

**Response Rate** 2/22 (9.09%)

- Each intern I have had a chance to work with has shown an ability to work a case through. In that they were able to identify some of the legal issues that may arise and even, if they have handled enough cases, be able to make a reasonable recommendation about the manner in which a case is resolved, I.E. probation, jail, prison, drug court, youthful diversion.
- Exceptional.



# 2021 Report Learning Outcome 2

## Effective Oral Communication



## **Report on Assessment of Learning Outcome #2: Effective Oral Communication**

### **Introduction**

In the spring of 2021, the Assessment Committee continued its assessment of Learning Outcome #2 and gathered data on students' ability to orally communicate effectively in the legal context (LO2). Faculty teaching Introduction to Lawyering assigned each student to conduct an oral argument based on a brief they had written for the course. Eighty-five students from the courses of four Lawyering faculty members were assessed using a rubric to assess students' ability to demonstrate the following:

1. Students will demonstrate the ability to communicate orally using the language of law and terms of art appropriate to the audience and context.
2. Students will demonstrate the ability to speak in a concise, clear, well organized, and professional manner appropriate to the audience and context.
3. Students will demonstrate the ability to communicate orally using standard rules of grammar when appropriate.

Each category was assessed using a four-point system: 4 indicating advanced performance, 3 indicating competent performance, 2 indicating that the students' performance is developing, and 1 indicating that the performance was inadequate

**Results for criterion #1:** Students will demonstrate the ability communicate orally using the language of law and terms of art appropriate to the audience and context:

- 26% of the students were scored as advanced (Students consistently used and sustained control over language of the law and terms of art appropriate to audience and context.)
- 67% were scored as competent, (Proficient and appropriate use of the language of law and terms of art consistent with audience and context despite occasional lapses; may need moderate improvement.)
- 7% were scored as developing. (Use of the language of law and terms of art occasionally omitted or used inconsistently, and student needs additional growth to be competent)
- No student was scored as inadequate (Omits or misuses terms of art and the language of law sufficiently to interfere with audience comprehension.)

**Results of criterion #2:** Students will demonstrate the ability to speak in a concise, clear, well organized, and professional manner appropriate to the audience and context:

- 30% were scored as advanced (Oral communication is well organized; clear, and appropriately respectful of the audience.)

- 52% were scored as competent (Oral communication is organized and professional despite occasional lapses in clarity.)
- 18% were scored as developing (Oral communication is appropriately respectful of the audience but inconsistently organized and somewhat unclear; student needs additional growth)
- No student was scored as inadequate (Oral communication is disorganized and unclear or delivered in an overly casual manner or inappropriate manner so as to impede professional communication.)

**Results for criterion #3:** Students will demonstrate the ability to communicate orally using standard rules of grammar when appropriate:

- 34% were scored as advanced (Sentence structure and grammar are generally excellent.)
- 51% were scored as competent (Sentence structure and grammar are strong despite occasional inappropriate lapses.)
- 15% were scored as developing (Some problems in sentence structure or grammar which detract from communication; student needs additional growth.)
- No student was scored as inadequate (Significant problems in sentence structure or grammar which impede professional communication.)

Overall, results show that the majority of students assessed were able to demonstrate effective oral communication at an advanced or competent level.



**2021 Report on Clinical Course  
Assessments of Learning Outcomes  
4, 5, & 6**

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# Albany Law School

## Institutional Assessment in Clinical Courses LO4,5&6 - Clinic

### 1 - Learning Outcome #4

Student demonstrates the ability to exercise proper professional and ethical responsibilities to clients and to the legal system




Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient- Student demonstrated strong understanding and adherence to appropriate code of ethics. Student demonstrated excellent interpersonal skills, time-management skills, collaboration skills, and work ethic.	(4)	1	12.50%		
Competent - With minimal prompting, student demonstrated good understanding and adherence to appropriate code of ethics. Student demonstrated good interpersonal skills, time-management skills, collaboration skills, and work ethic.	(3)	7	87.50%		
Emerging/Developing - With regular prompting, student demonstrated developing understanding and adherence to appropriate code of ethics. Student sometimes miscalculates the time and effort necessary to carry out tasks in a professional manner	(2)	0	0.00%		
Unprofessional/Deficient - Student fails to demonstrate an understanding or adherence to appropriate code of ethics. Student regularly miscalculates the time and effort necessary to carry out tasks in a professional manner. Fails to assist other students; Poor work ethic.	(1)	0	0.00%		
Not able to observe	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
8/8 (100%)	3.13	0.35			

### 2 - Comments:

Response Rate	0/8 (0%)
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### 3 - Learning Outcome #5

Student demonstrates knowledge and understanding of the lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have equal access to our justice system

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient -Student demonstrates an outstanding understanding of the responsibility to advance service to the underrepresented.	(4)	2	25.00%		
Competent - Student demonstrates a good understanding of the responsibility to advance service to the underrepresented.	(3)	6	75.00%		
Emerging/Developing - With prompting, student demonstrates a developing understanding of the responsibility to advance service to the underrepresented.	(2)	0	0.00%		
Unprofessional/Deficient - Student fails to demonstrate an understanding of the responsibility to advance service to the underrepresented.	(1)	0	0.00%		
Not able to observe	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
8/8 (100%)	3.25	0.46			

### 4 - Comments:

Response Rate	0/8 (0%)
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**Albany Law School**  
**Institutional Assessment in Clinical Courses LO4,5&6 - Clinic**

**5 - Learning Outcome #6**

**Student demonstrates an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.**

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient - Student demonstrates an outstanding awareness and understanding of multicultural competence	(4)	1	12.50%		<div>3.13</div>
Competent - Student demonstrates a good awareness and understanding of multicultural competence	(3)	7	87.50%		
Emerging/Developing - With prompting, student demonstrates an adequate awareness and understanding of multicultural competence	(2)	0	0.00%		
Unprofessional/Deficient - Student fails to demonstrate an awareness and understanding of multicultural competence	(1)	0	0.00%		
Not able to observe	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
8/8 (100%)	3.13	0.35			

**6 - Comments:**

<b>Response Rate</b>	0/8 (0%)
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2021 Report on Field Placement  
Assessment of Learning Outcomes  
4, 5, & 6

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# Albany Law School

## Institutional Assessment in Clinical Courses LO4,5&6 - Field Placement

### 1 - Learning Outcome #4

Student demonstrates the ability to exercise proper professional and ethical responsibilities to clients and to the legal system

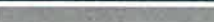



Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient- Student demonstrated strong understanding and adherence to appropriate code of ethics. Student demonstrated excellent interpersonal skills, time-management skills, collaboration skills, and work ethic.	(4)	13	68.42%		 3.63
Competent - With minimal prompting, student demonstrated good understanding and adherence to appropriate code of ethics. Student demonstrated good interpersonal skills, time-management skills, collaboration skills, and work ethic.	(3)	5	26.32%		
Emerging/Developing - With regular prompting, student demonstrated developing understanding and adherence to appropriate code of ethics. Student sometimes miscalculates the time and effort necessary to carry out tasks in a professional manner	(2)	1	5.26%		
Unprofessional/Deficient - Student fails to demonstrate an understanding or adherence to appropriate code of ethics. Student regularly miscalculates the time and effort necessary to carry out tasks in a professional manner. Fails to assist other students; Poor work ethic.	(1)	0	0.00%		
Not able to observe	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
19/19 (100%)	3.63	0.60			

### 2 - Comments:

Response Rate	1/19 (5.26%)
• Ms. Marotta was very professional, well prepared and diligent in her assignments.	

### 3 - Learning Outcome #5

Student demonstrates knowledge and understanding of the lawyer's professional responsibility to advance the mission of service to the underrepresented so that all individuals have equal access to our justice system

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient -Student demonstrates an outstanding understanding of the responsibility to advance service to the underrepresented.	(4)	15	78.95%		 3.94
Competent - Student demonstrates a good understanding of the responsibility to advance service to the underrepresented.	(3)	1	5.26%		
Emerging/Developing - With prompting, student demonstrates a developing understanding of the responsibility to advance service to the underrepresented.	(2)	0	0.00%		
Unprofessional/Deficient - Student fails to demonstrate an understanding of the responsibility to advance service to the underrepresented.	(1)	0	0.00%		
Not able to observe	(0)	3	15.79%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
19/19 (100%)	3.94	0.25			

## Albany Law School

### Institutional Assessment in Clinical Courses LO4,5&6 - Field Placement

#### 4 - Comments:

**Response Rate** 2/19 (10.53%)

- Ms. Marotta and I had multiple discussions about the criminal justice system, her experiences in other prosecutorial offices and I found her views to be well informed and articulate.
- This was not a component of this placement. Student was a neutral part of justice system, not in the role of advancing a mission.

#### 5 - Learning Outcome #6

**Student demonstrates an awareness and understanding of the knowledge, skills, and values necessary to be competent and effective lawyers in a multicultural world.**

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Advanced/Proficient - Student demonstrates an outstanding awareness and understanding of multicultural competence	(4)	13	68.42%		3.72
Competent - Student demonstrates a good awareness and understanding of multicultural competence	(3)	5	26.32%		
Emerging/Developing - With prompting, student demonstrates an adequate awareness and understanding of multicultural competence	(2)	0	0.00%		
Unprofessional/Deficient - Student fails to demonstrate an awareness and understanding of multicultural competence	(1)	0	0.00%		
Not able to observe	(0)	1	5.26%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
19/19 (100%)	3.72	0.46			

#### 6 - Comments:

**Response Rate** 1/19 (5.26%)

- Ms. Marotta's work, conduct and level of professionalism is on par with that of a seasoned attorney.



# 2021 Report on International LLM Learning Outcomes



## INTERNATIONAL LLM LEARNING OUTCOMES 2020-21

Students enrolled in Legal Research & Writing for the International LLM program in the spring 2020 and 2021 semesters were assessed based on the criteria below.

LEARNING OUTCOME	MECHANISM OF ASSESSMENT	ASSESSMENT	NOTES
<b>Learning Outcome Number 1:</b> Students will demonstrate a basic understanding of the US Legal System.	<b>Quiz:</b> Students in Legal Research & Writing: LLM will be given a multiple choice quiz regarding the proper weight of authority to be given to various law-making instruments from the three branches of the federal and New York state governments.	<b>Quiz:</b> Student 1 answered fifty (50) percent of the questions (5/10) correctly.  Student 2 answered zero (0) percent of the questions (0/10) correctly.  Student 3 answered zero (0) percent of the questions (0/10) correctly	
<b>Learning Outcome Number 2:</b> Students will demonstrate an understanding of the US substantive and procedural law that is relevant to their field(s) of interest and/or foreign-based practices.			
<b>(a) Substantive Law</b>	<b>Memo:</b> Students will draft legal memorandum in Legal Research & Writing. They will be graded, in part, on their ability to properly explain the relevant law.	<b>Memo :</b> Student 1 received seventy (70) percent of points dedicated to the explaining the law.  Student 2 received fifty (50) of the points dedicated to explaining the law.  Student 3 received thirty (30) of the points dedicated to explaining the law.	

<b>(b) Procedural Law</b>			
<b>Learning Outcome Number 3:</b> Students will demonstrate the ability to communicate effectively in English, generally, and about legal topics in particular, both orally and in writing.			
<b>(a) Writing – English Generally</b>	<b>Memo:</b> Students will draft legal memorandum in Legal Research & Writing. The statement of facts in a legal memorandum should provide indicia of the author’s ability to write in English generally.	Student 1 received seventy (70) percent of the points dedicated to the statement of facts.  Student 2 received sixty-five (65) percent of the points dedicated to the statement of facts.  Student 3 received forty-five (45) percent of the points dedicated to the statement of facts.	Criteria for the Statement of Facts included: <ul style="list-style-type: none"> <li>• Completeness</li> <li>• Relevance</li> <li>• Precision &amp; Clarity</li> <li>• Flow &amp; Readability</li> <li>• Spelling &amp; Grammar</li> <li>• Organization</li> </ul>
<b>(b) Writing – Legal topics</b>	<b>Memo:</b> Students will draft legal memorandum in Legal Research & Writing. The discussion section of a legal memorandum should provide indicia of the author’s ability to write about legal topics in particular.	Student 1 received sixty-four (64) percent of the points corresponding to legal writing mechanics.  Student 2 received sixty (60) percent of the points corresponding to legal writing mechanics.  Student 3 received thirty-five (35) percent of the points corresponding to legal writing mechanics	Criteria for legal mechanics in the Discussion section included: <ul style="list-style-type: none"> <li>• Headings</li> <li>• Large Scale Organization</li> <li>• Use of the CREAC Paradigm</li> <li>• Paragraphing</li> <li>• Sentence Structure</li> <li>• Citations</li> <li>• Spelling &amp; Grammar</li> </ul>

			<ul style="list-style-type: none"> <li>• Precision &amp; Clarity</li> <li>• Flow &amp; Readability</li> <li>• Tone</li> </ul>
<b>(c) Oral</b>	<b>Presentation</b>  Students will prepare and give a 10 to 15 minutes presentation comparing an aspect of the United states legal system with the legal system of their home country.	Student 1 received one-hundred (100) percent of the points on the presentation.  Student 2 received one-hundred (100) percent of the points on the presentation.  Student 3 received eighty (80) percent of the points on the presentation.	
<b>Learning Outcome 4:</b> Students will demonstrate a familiarity with US case analysis, legal reasoning, the skills needed to conduct legal research and draft legal memoranda and other legal communications.			
<b>(a) case analysis &amp; legal reasoning</b>	<b>Memo</b> Students will draft legal memorandum in Legal Research & Writing. They will be graded, in part, on their ability to provide a through & critical analysis of the facts as applied to relevant law.	Student 1 received ninety (90) percent of the points corresponding to legal analysis.  Student 2 received fifty (50) percent of the points corresponding to legal analysis.  Student 3 received thirty (30) percent of the points corresponding to legal analysis.	

<b>(b) legal research</b>	<p><b>Memo</b></p> <p>Students will complete a series of research exercises in Legal Research &amp; Writing covering caselaw, statutory, and administrative law research.</p>	<p>Students 1 received eighty-seven (87) percent of the points on the research exercises.</p> <p>Student 2 receive sixty (60) percent of the points on the research exercises.</p> <p>Student 3 receive thirty-five (35) percent of the points on the research exercises.</p>	
<b>(c) Memo drafting</b>	<p>Students will draft legal memorandum in Legal Research &amp; Writing.</p>	<p>Student 1 received eighty-five (85) percent of the points on the legal memorandum.</p> <p>Student 2 received forty-five (45) percent of the points on the legal memorandum.</p> <p>Student 3 received twenty (20) percent of the points on the legal memorandum</p>	
<b>(d) other legal communications.</b>	<p><b>Client letter</b></p> <p>Students will perform legal research and draft a client letter for a fact pattern with two issues</p>	<p>Student 1 received eighty-six (86) percent of the points on the client letter.</p> <p>Student 3 received forty (40) percent of the points on the client letter.</p> <p>Student 3 received forty (40) percent of the points on the client letter.</p>	

# 2020 Exit Survey for Graduates


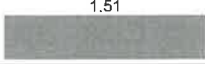







# Albany Law School





## 2020 Exit Survey for Graduates

### 1 - What degree will you earn at graduation?

Response Option	Weight	Frequency	Percent	Percent Responses	Means
JD	(1)	29	74.36%		 1.51
International LL.M	(2)	2	5.13%		
LL.M in Advanced Legal Studies	(3)	6	15.38%		
M.S. in Legal Studies	(4)	2	5.13%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
39/39 (100%)	1.51	0.94			






### 2 - To what extent do you agree with the following statements? (JD)

#### 1. I am able to demonstrate foundational knowledge and understanding of substantive and procedural law.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	19	65.52%		 4.62
Agree	(4)	9	31.03%		
Neutral	(3)	1	3.45%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
29/39 (74.36%)	4.62	0.56			





### 2 - To what extent do you agree with the following statements? (JD)

#### 2. I am able to demonstrate ability to communicate effectively in the legal context, in writing and orally.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	18	62.07%		 4.52
Agree	(4)	9	31.03%		
Neutral	(3)	1	3.45%		
Disagree	(2)	1	3.45%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
29/39 (74.36%)	4.52	0.74			

### 2 - To what extent do you agree with the following statements? (JD)


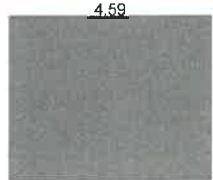
#### 3. I am able to demonstrate basic legal research, legal analysis, legal reasoning and problem-solving skills.



Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	20	68.97%		 4.66
Agree	(4)	8	27.59%		
Neutral	(3)	1	3.45%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
29/39 (74.36%)	4.66	0.55			


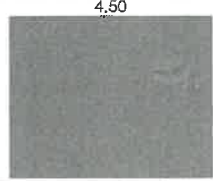
# Albany Law School

## 2020 Exit Survey for Graduates

2 - To what extent do you agree with the following statements? (JD)										
4. I am able to demonstrate the ability to exercise proper professional and ethical responsibilities to clients and to the legal system.										
Response Option		Weight	Frequency	Percent	Percent Responses		Means			
Strongly Agree		(5)	16	55.17%						
Agree		(4)	13	44.83%						
Neutral		(3)	0	0.00%						
Disagree		(2)	0	0.00%						
Strongly Disagree		(1)	0	0.00%						
I'm not sure what this means		(0)	0	0.00%						
					0	25	50	75	100	Question
Response Rate		Mean	STD							
29/39 (74.36%)		4.55	0.51							

2 - To what extent do you agree with the following statements? (JD)						
5. I am able to demonstrate knowledge and understanding of the lawyer's professional responsibility to advance the mission of service to the underrepresented and to ensure all individuals have equal access to the privileges of our justice system.						
Response Option		Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree		(5)	17	58.62%		
Agree		(4)	12	41.38%		
Neutral		(3)	0	0.00%		
Disagree		(2)	0	0.00%		
Strongly Disagree		(1)	0	0.00%		
I'm not sure what this means		(0)	0	0.00%		
					0255075100	Question
Response Rate		Mean	STD			
29/39 (74.36%)		4.59	0.50			

2 - To what extent do you agree with the following statements? (JD)						
6. I am able to demonstrate an awareness and understanding of the knowledge, skills, and values necessary to be a competent and effective lawyer in a multicultural world.						
Response Option		Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree		(5)	18	62.07%		
Agree		(4)	11	37.93%		
Neutral		(3)	0	0.00%		
Disagree		(2)	0	0.00%		
Strongly Disagree		(1)	0	0.00%		
I'm not sure what this means		(0)	0	0.00%		
					0      25      50      75      100	Question
Response Rate		Mean	STD			
29/39 (74.36%)		4.62	0.49			

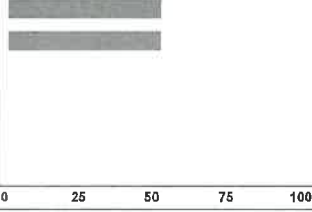
3 - To what extent do you agree with the following statements? (International LL.M)						
1. I am able to demonstrate a basic understanding of the US legal system						
Response Option		Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree		(5)	1	50.00%		4.50 
Agree		(4)	1	50.00%		
Neutral		(3)	0	0.00%		
Disagree		(2)	0	0.00%		
Strongly Disagree		(1)	0	0.00%		
I'm not sure what this means		(0)	0	0.00%		
					0      25      50      75      100	Question
Response Rate		Mean	STD			
2/39 (5.13%)		4.50	0.71			

## Albany Law School

### 2020 Exit Survey for Graduates

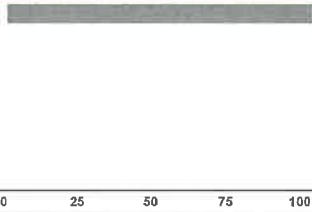
#### 3 - To what extent do you agree with the following statements? (International LL.M)

2. I am able to demonstrate an understanding of the US substantive and procedural law that is relevant to their field(s) of interest and/or foreign-based practices.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	1	50.00%		4.50
Agree	(4)	1	50.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	4.50	0.71			

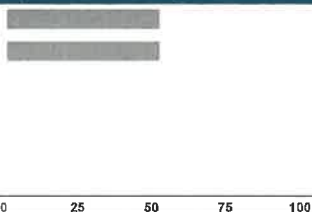
#### 3 - To what extent do you agree with the following statements? (International LL.M)

3. I am able to demonstrate ability to communicate effectively in English, generally, and about legal topics in particular, both orally and in writing.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		5.00
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			

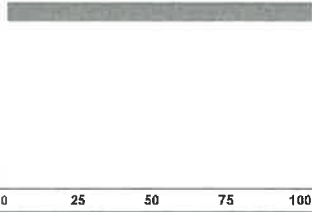
#### 3 - To what extent do you agree with the following statements? (International LL.M)

4. I am able to demonstrate a familiarity with US case analysis, legal reasoning, the skills needed to conduct legal research and draft legal memoranda and other legal communications.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	1	50.00%		4.50
Agree	(4)	1	50.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	4.50	0.71			

#### 3 - To what extent do you agree with the following statements? (International LL.M)

5. I meet eligibility and application requirements to take the US bar exam.


Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		5.00
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			

## Albany Law School

### 2020 Exit Survey for Graduates


#### 3 - To what extent do you agree with the following statements? (International LL.M)

6. I am able to demonstrate the ability to exercise proper professional and ethical responsibilities to clients and to the legal system.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		5.00
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			


#### 3 - To what extent do you agree with the following statements? (International LL.M)

7. I am able to demonstrate knowledge and understanding of the lawyer's professional responsibility in the united states to advance the mission of service to the underrepresented and to ensure all individuals have equal access to the privileges of our justice system.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		5.00
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			


#### 4 - To what extent do you agree with the following statements? (LL.M. Graduates in Advanced Legal Studies)

1. I am able to demonstrate advanced knowledge and understanding of the core doctrines of law that are relevant to their legal practice and career or relevant to their area of concentration.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	5	83.33%		4.83
Agree	(4)	1	16.67%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
6/39 (15.38%)	4.83	0.41			

#### 4 - To what extent do you agree with the following statements? (LL.M. Graduates in Advanced Legal Studies)

2. I am able to demonstrate ability to communicate effectively in the legal context, in writing and orally.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	4	66.67%		4.67
Agree	(4)	2	33.33%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
6/39 (15.38%)	4.67	0.52			

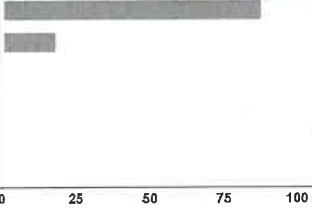
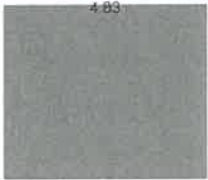


## Albany Law School

### 2020 Exit Survey for Graduates

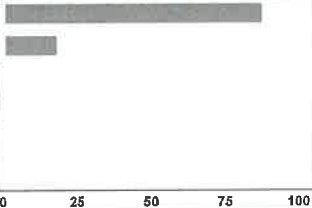

#### 4 - To what extent do you agree with the following statements? (LL.M. Graduates in Advanced Legal Studies)

##### 3. I am able to demonstrate advanced legal research, legal analysis, legal reasoning and problem-solving skills.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	5	83.33%		
Agree	(4)	1	16.67%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
6/39 (15.38%)	4.83	0.41			

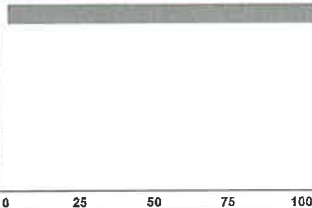
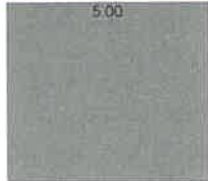
#### 4 - To what extent do you agree with the following statements? (LL.M. Graduates in Advanced Legal Studies)

##### 4. I am able to demonstrate an understanding of contemporary legal scholarship and an ability to participate in and potentially publish their own work in scholarly debate.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	5	83.33%		
Agree	(4)	1	16.67%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
6/39 (15.38%)	4.83	0.41			

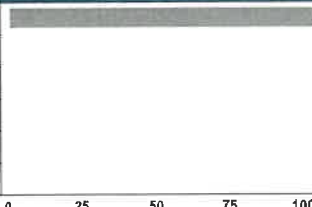

#### 5 - To what extent do you agree with the following statements? (M.S. in Legal Studies)

##### 1. I am able to demonstrate knowledge and understanding of fundamental substantive and procedural law as it relates to the student's chosen area of concentration

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
2/39 (5.13%)	5.00	0.00			

#### 5 - To what extent do you agree with the following statements? (M.S. in Legal Studies)

##### 2. I am able to demonstrate ability to communicate effectively in writing and orally.



Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
<b>Response Rate</b>	<b>Mean</b>	<b>STD</b>			
2/39 (5.13%)	5.00	0.00			

## Albany Law School

### 2020 Exit Survey for Graduates

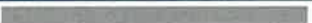

#### 5 - To what extent do you agree with the following statements? (M.S. in Legal Studies)

##### 3. I am able to demonstrate basic research, analysis, reasoning and problem-solving skills.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			

#### 5 - To what extent do you agree with the following statements? (M.S. in Legal Studies)

##### 4. I am able to demonstrate the ability to exercise proper professional and ethical responsibilities to clients and to the legal system.

Response Option	Weight	Frequency	Percent	Percent Responses	Means
Strongly Agree	(5)	2	100.00%		
Agree	(4)	0	0.00%		
Neutral	(3)	0	0.00%		
Disagree	(2)	0	0.00%		
Strongly Disagree	(1)	0	0.00%		
I'm not sure what this means	(0)	0	0.00%		
				0 25 50 75 100	Question
Response Rate	Mean	STD			
2/39 (5.13%)	5.00	0.00			

Albany Law School  
2020 Exit Survey for Graduates

6 - Which bar review course will you be taking this summer?

Response Rate 31/39 (79.49%)

- Barbri
- Studicata
- Themis
- Barbri
- Barbri
- Kaplan
- Kaplan
- I used barbri
- Barbari
- Themis
- Kaplan
- Barbri
- Took the February bar as a PBS, utilized Barbri
- Barbri
- Kaplan
- Already took it with themis.
- Barbri
- No bar review course (am using Adaptibar for MBE practice). Will be using alternatives to bar review courses, and they have great reviews.
- Barbri
- Barbri
- Barbri
- Already took Barbri
- Unsure
- Barbri
- Barbri
- Barbri
- Themis
- Barbri
- Kaplan
- Barbri
- N/A

## Albany Law School

### 2020 Exit Survey for Graduates

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#### 7 - Will you be in Albany during your bar prep?

Response Rate	31/39 (79.49%)
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- Yes
- Yes
- I will be in the capital region.
- Yes
- Yes
- Part-time
- Yes
- Yes I was
- Yes
- Yes
- Yes
- No
- NA
- Yes
- Yes
- I was.
- Yes
- No.
- Yes
- Yes
- Yes
- Yes
- Yes I was
- Unsure
- Yes.
- It depends on if the school is open. Ideally I would bar prep at the school in Albany.
- Yes
- No
- Yes
- Yes
- Yes
- Yes



## Albany Law School

### 2020 Exit Survey for Graduates

**8 - Do you plan to attend any of Prof. Buffington's summer bar prep programming? (Further information about the programming - which will include daily lunches, special review sessions, and interactive writing workshops - will be sent to you soon.)**

**Response Rate** 30/39 (76.92%)

- Yes
- Yes
- Undecided at this point.
- If it's only online, no.
- Writing workshops
- Yes
- No
- I attended almost all of them and loved them.
- No
- Maybe but not likely
- Yes
- Yes
- NA- however I did often utilize these programs in February
- Yes
- Undetermined.
- I did.
- Yes
- If it fits in my schedule.
- I would definitely like to if Covid restrictions becomes lessened and in person meetings become allowed
- Yes
- Possibly
- I attended a few sessions.
- Unsure
- Yes.
- Not at this time. I have a food allergy that isn't ever taken into consideration when the school provides lunch, and I have heard from former students that the lunches were not productive uses of time for them.
- Yes
- Some of them
- Yes
- Yes
- Yes

## Albany Law School

### 2020 Exit Survey for Graduates

#### 9 - Have you reached out to a faculty member to serve as a summer bar exam "coach"?

Response Rate 30/39 (76.92%)

- Yes
- Yes
- No.
- No
- Yes, Professor Heverly
- No
- Yes
- Yes
- No
- Yes
- No
- Yes
- NAp
- No
- No.
- I did not.
- no
- No
- No
- Yes
- No
- Yes, Dean Queenan was.
- No
- Not yet
- Yes.
- No
- No
- No
- No
- No

#### 10 - Is there anything else you think the school might be able to do to assist you with your summer bar prep?

Response Rate 22/39 (56.41%)

- If possible, open the library up, however I know this might not be possible given the current pandemic.
- Help us find locations to study that aren't at home.
- Nothing in mind.
- No
- To have the library open up for bar prep if possible.
- No
- Letting us know whether we will have access to the law school's facilities this summer.
- No
- It is difficult to tell until the summer bar programming properly starts, but it seems that Albany is offering an extremely cohesive program.
- No
- Have a free coffee station in future years when people are back on campus.
- no
- No
- Get the library open to study, please.
- Open the library facility to students studying for bar.
- No
- Unsure
- I think opening the school up and making sure the mental health of the students bar prepping is addressed regularly during this pandemic is crucial to their success on the exam.
- N/A
- Opening up the library to bar takers if ever possible
- No
- Online/remote bar prep classes.

## Albany Law School

### 2020 Exit Survey for Graduates

#### 11 - Additional Comments:

Response Rate 10/39 (25.64%)

- Had a great time and met some lifelong friends along the way.
- While all courses require written documents and projects; I only had the opportunity to present orally in 2 courses out of 8. I think this could be increased to 4 courses requiring some sort of oral presentation to improve the ability to communicate effectively in the legal context.
- N/A
- n/a
- I graduated in December 2019, I passed the February bar.
- Cindy Lay, clay@albanylaw.edu
- N/A
- Professors were wonderful - Brandt, Haynes, Roman, Delune, and Suich. Thank you.
- There should be more transparency with students. I also believe the school should adopt a strong policy of ethics and hold all student, faculty, administrators, and staff to this standard. This could be in the framework of an honor code, or a written policy. This is not to say there are systemic issues within the ethical culture of the school, but adopting a policy or honor code will put ethics (which should go beyond what is minimally required by our profession) at the forefront of the schools mission. This will help instill, by example, the importance of ethical behavior in the future generations of lawyers.
- N/A

#### 12 - Thank you for your time! Please provide your contact information (Name, Email, Phone) if you would like to receive a small gift.

Response Rate 27/39 (69.23%)

- Alex-Marie Baez, abaez@albanylaw.edu, 727-364-5116
- Lauren McCluskey, lmccluskey@albanylaw.edu, 518-935-7674
- David Egan, degan@albanylaw.edu; 518-469-4579
- Elizabeth Doerr, edoerr@albanylaw.edu, (845) 499-1111
- Kayla Potter, potterkayla4@gmail.com, 607-321-4826
- Justine DeCarlo, justinedecarlo.jd@gmail.com, (561)2555471
- Dragana dthibault@albanylaw.edu 5183503840
- Candace White, cwhite@albanylaw.edu, (813)360-7201
- nfavreau@albanylaw.edu, 518-572-4881
- johannamshea2@gmail.com: Johanna M. Shea: 315-262-7767
- Adrienne Meicht, ameicht@albanylaw.edu, 518-229-7888
- Jake Koch, Jkoch@albanylaw.edu, 775-443-8150
- Tom barrett tbarrett@albanylaw.edu
- Marcos Graef, graef.marcos@gmail.com; 518-956-4159
- Brenton Michonet, bmichonet@albanylaw.edu, (315) 560-1993
- ntestani@albanylaw.edu
- Jennifer Springer, jspringer23@albanylaw.edu, 3157909465
- James Martin, jp27mart@gmail.com or jmartin@albanylaw.edu; (315) 219-7075.
- Amer Latif 6318795653
- Ariel Lasher, arielbriana95@gmail.com, 518-774-1095
- Douglas Berinstein dberinstein@albanylaw.edu 518-852-6024
- Kieran Murphy, kmurphy@albanylaw.edu, 914-602-5028
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- Frederick Haggerty, fred.haggerty@gmail.com, 571-220-7849

