

EXCERPTS FROM COOL DATA ON A HOT ISSUE: EMPIRICAL EVIDENCE THAT A LAW SCHOOL BAR SUPPORT PROGRAM ENHANCES BAR PERFORMANCE

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INTRODUCTION

The bar examination is hot. It is a hot and controversial topic in the courtroom, in state bar associations, in law school faculty meetings,¹ and in academic literature.² Is a bar examination necessary to protect the public from attorney incompetence? Does the bar examination test competency to practice law? . . .

Despite the debate, and regardless of the merit of the criticisms of the bar examination, the bar examination is here to stay and is a reality that our graduates must face.³ Thus, in the midst of this controversy, many law schools have become increasingly concerned about the bar passage rates of their graduates . . . [and] are deciding that they should do something. A significant number of law schools are now offering programs “specifically designed” to improve their graduates’ performance on the bar examination.⁴ And these schools believe that their programs are positively impacting bar performance. . . . But these schools have not subjected their programs to rigorous statistical analysis. None has “engaged in a statistically verifiable analysis of whether the programs materially affect a student’s chance of passing the bar on a first attempt.”⁵ . . .

Our research starts to fill that gap. Our statistical analysis supports the conclusion that a bar support program has improved the University of Richmond School of Law’s bar passage rate. More specifically, the bar support program has led to a dramatic improvement for those students most at risk of failing the examination: the bottom half of the graduating class. [Editor’s note: Most of the statistical data presented in the original article and many of the footnotes have been omitted here in the interest of space. Readers who are interested in seeing this information should consult the original article.]

The results of our analysis support the conclusion that a bar support program can, and in this case did, significantly improve bar passage rates. Especially given its modest cost, a bar support program offers an important solution to the perplexing problem of how to prepare at-risk students for the rigors of the bar examination. . . .

WHY THE BAR EXAM PASSAGE RATE MATTERS

[T]he bar examination is a reality that law graduates must face, regardless of whether it reliably determines who is—and who is not—competent to

practice law. . . . Because the bar examination is here to stay, the success of law schools will continue to be measured, in part, by the ability of their graduates to pass bar examinations. Although law schools legitimately should not teach to the bar examination, “[they] must be concerned with bar passage rates.”⁶ . . .

Programs aimed at improving bar passage rates already exist and are generally included within law school academic support programs. While the focus of academic support programs [ASPs] varies, many are beginning to include a bar preparation component.⁷ The University of Richmond School of Law is one such school. . . .

THE UNIVERSITY OF RICHMOND’S BAR SUPPORT PROGRAM

In the fall of 1999, the University of Richmond School of Law secured funding to establish an ASP. The administration and faculty . . . believed that the law school should have a program dedicated to assisting students experiencing academic difficulty, and . . . hoped that such a program would improve academic performance during law school, particularly among struggling students. But concern about the bar passage rate was the primary impetus for implementing an ASP.⁸ . . .

Over the past four years, the University of Richmond’s academic support program has developed two separate, but related,⁹ components: first-year support¹⁰ and bar examination support.¹¹ This article focuses on the bar examination support component, which includes a bar preparation class and individual tutoring.

Bar Preparation Class

The University of Richmond offers a Supplemental Bar Preparation Course (“bar preparation class”),¹²

which is available to third-year students in both the fall and spring semesters. The class provides students with an intensive substantive review of six subjects, and it teaches test-taking skills and offers practice multiple-choice and essay exams. . . . The bar preparation class begins the first week of each semester and runs approximately twelve weeks. The class is designed for students’ final semester of law school. . . . The students do not receive credit for attending the preparation course.¹³

The class meets once a week for approximately three hours. Each class begins with a two-hour, videotaped review of a substantive area. The second portion of each class is devoted to multiple-choice and essay-writing practice and instruction on test-taking techniques. Following the lecture portion of the class, students answer, under timed conditions, twelve to fifteen Multistate Bar Examination questions and one to two essay questions pertaining to the substantive lecture. After the mock examination, the academic support professor reviews the pertinent substantive law for each question. . . . Moreover, the lecture incorporates test-taking strategies into the discussion of the specific questions. . . .

The bar preparation class teaches examination content and skills in a cost-effective setting. One professor can work with a nearly unlimited number of students. It is, thus, a useful vehicle for a bar support program.

Individual Tutoring

In addition to the bar preparation class, Richmond offers individual tutoring to its graduates¹⁴ preparing for the Virginia bar examination. This aspect of the bar support program focuses on developing essay-writing skills and teaching substantive rules of law.¹⁵

The tutoring runs concurrently with the commercial bar review courses. It begins when the

ONE-ON-ONE INSTRUCTION

Unlike the bar preparation class, one-on-one instruction requires tremendous resources to assist a limited number of students. Furthermore, substantive law and essay-writing skills—the main focuses of the tutoring program—are also taught in the group setting. So why tutor students individually as part of a bar support program?

One-on-one instruction is simply more effective for some students. First, generic essay-writing advice is of limited usefulness. Take, for example, the suggestion to “be concise.” That advice is not objectionable on its face. Conciseness is a virtue of good writing. The efficacy of the suggestion, however, depends on the student’s relative starting point. Some students will stray far from the central issue in an essay question, wasting valuable time and energy and calling into question their ability to distinguish dispositive issues from tangential ones. Other students, in contrast, will leap to the ultimate conclusion and omit essential analysis.¹⁶ Thus, tutoring permits tailored advice: after reviewing a particular student’s writing, the professor can determine whether to advise the student to “be concise” or “be thorough.”

Similarly, students learn best from their mistakes. In a class setting, the professor could put an example essay answer on an overhead screen and show a group of students where the hypothetical author lost points by not following various tenets of good essay writing. But as effective as such hypothetical examples may be, actual examples, from a student’s own answers, are infinitely more so. Individualized critiques—and suggestions as to how the student can earn more points—resonate deeply.

Repetition and follow-up are additional benefits of individual tutoring. By reviewing written answers from each student, the professor can note a particular student’s weaknesses and, in subsequent meetings, follow up on identified areas to determine whether the student is improving. Consider the example of an essay question that tests an exception to a general rule of law. In the first week, a student may jump straight to the exception without mentioning the general rule. The

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students start to study for the bar examination and lasts ten to twelve weeks. The academic support professor meets with each student individually for forty-five minutes to one hour once per week.

For the first eight to ten weeks, the professor assigns three essay questions for each meeting. The participating students prepare answers on their own and submit their answers in advance. The professor reads and comments extensively on each answer. During the meeting with the student, the professor explains the comments and elaborates on essay-writing suggestions and substantive points.

In the final two weeks, the students write essay answers in the professor’s office under test conditions. . . . The professor and student then discuss the answers.

Eligibility for the Program

“Whom to serve?” is a question that continuously plagues academic support professionals. On the one hand, resources are limited. Law schools certainly want neither to invest significant effort in “assisting” someone who would pass the bar without extra support, nor to displace resources that could otherwise be spent on those students genuinely at risk of failing. On the other hand, there are compelling reasons to open a bar support program to all interested students. Although the correlation between class rank and first-time bar passage is quite strong,²⁰ it is imperfect, and one can never be certain who needs help and who does not. Additionally, and perhaps more importantly, inclusion of all students minimizes—or even eliminates—the potential stigma that can attach to the program. The University of Richmond resolved this dilemma by including all interested students. . . . All students are advised of the bar support programs, but the academic support professor individually contacts

students ranked in the fourth quartile and encourages them to participate.

Students across all quartiles currently participate in the program. During the four-year period covered in our analysis,²¹ forty-eight first-quartile students, forty-three second-quartile students, sixty third-quartile students, and sixty-two fourth-quartile students participated in individual tutoring, the bar preparation class, or both.²² Thus, students from all quartiles feel welcome to, and do, participate. The broad appeal of the bar support program ensures that participation carries no stigma.

Other Services

The bar preparation class and individual tutoring form the cornerstone of the bar support program at the University of Richmond. However, the academic support professor also offers other services and programs pertaining to the bar examination. For example, at the professor’s invitation, the members of the Virginia Board of Bar Examiners have visited the law school to inform students about drafting and grading the bar examination and to advise them on selecting courses and preparing for the bar examination. Moreover, the law school maintains an internal

electronic notice board that provides students with logistical information about admission to the bar. The academic support professor also frequently counsels students, individually and in groups, about course selection for the Virginia Bar Examination. We have not evaluated the impact of these services in this article; however, we believe that such programs raise student awareness and otherwise contribute to a stronger bar passage rate.

Cost of the Program

... The main cost associated with a bar support program like the one at the University of Richmond is the salary (and other employment costs) of the academic support professor. At the University of Richmond, a full-time, non-tenure-track faculty member directs the academic support program, which includes both first-year and bar examination support. The bar support responsibilities consume roughly one-half of the time of a full-time, twelve-month position. The time demands vary significantly, however, over the course of a year, as demonstrated in Table 1 below, and this seasonal fluctuation will probably be important in structuring a part-time position or in pairing bar support duties with other responsibilities in a full-time position.

Table 1

ACADEMIC SUPPORT PROFESSOR RESPONSIBILITIES		
<u>Month</u>	<u>Primary Bar Support Duties</u>	<u>Approximate Hours Per Week</u>²³
January-February	Tutoring graduates preparing for the February bar exam; spring bar preparation class (two sections, each meeting once per week for three to three and one-half hours)	20-25
March-April	Spring bar preparation class	10-15
Mid-May-July	Tutoring graduates preparing for July bar exam	40+
August-December	Fall bar preparation class (one section meeting once per week for three to three and one-half hours)	5

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professor explains that a stronger answer puts the issue in context by first identifying the general rule.¹⁷ In the following week, the professor revisits that suggestion on a different essay question in a new area of law.¹⁸ Thus, the professor ensures that the student has internalized the skill and can apply it in a new situation, and the student reinforces the skill through practice. By writing regularly, over an extended period, and by receiving immediate and personalized evaluation, the student learns to write more effectively. The writing techniques ultimately become second nature for the student, who will benefit not only on the bar examination, but also in practice.

One-on-one instruction also ensures accountability. In a group setting, it is easier for a student to fall behind, to disengage, or to disappear in the crowd. Because they have individual appointments to meet with the professor, tutored students are more likely to keep up with their work and to practice writing essay questions repeatedly.

Finally, tutoring allows the professor to coach students preparing for the bar examination. The professor often provides general advice on preparing for the bar examination during the weekly tutoring sessions with students. Topics include scheduling, time management, stress management, and effective studying techniques. Moreover, the professor can read cues, which are sometimes quite subtle, as to what may help a particular student progress. A lack of confidence holds some students back, particularly those considered to be at-risk based on a low law school class rank. Boosting that all-important self-confidence may be one of the most important benefits of tutoring. In such a situation, the professor may minimize legitimate criticism to give the student more positive reinforcement. In contrast, other students suffer from overconfidence and a lack of motivation. The professor sometimes must deliver unwelcome criticism to motivate without alienating. This aspect of tutoring can be handled only on an individual basis.

In short, tutoring offers students individualized guidance on essay-writing skills, substantive instruction, general test-taking advice, and personal support. One student summarized the tutoring sessions this way: "They're like personal training—teaching me how to use the equipment correctly and keeping me on track."¹⁹

DATA ANALYSES AND RESULTS

The University of Richmond's bar support program began in the spring of 2001 for students who would take the July 2001 bar examination. . . . The bar support program has been offered without interruption since that time, up to and including the most recent examination for which there is data: July 2004. The data include the following for each first-time applicant for the Virginia bar: bar examination results, class ranking, and type of bar support assistance, if any.

In conducting statistical analysis of the bar support program at the University of Richmond, we had to make certain assumptions and choices. Our first choice involved determining the base period: the number of years before the bar support program was implemented to compare with the number of years after it was implemented. We opted to begin our analysis with data from the July 1997 bar examination to equate roughly the amount of data prior to the program with the amount of data during the program. Thus, we have analyzed data on eight bar exams before the program's implementation (July 1997 through February 2001) and seven bar exams after it was implemented (July 2001 through July 2004).²⁴ . . .

A second choice was how to define "participation" in the bar support program. . . . By defining participation in the bar preparation class as attendance of six or more meetings and participation in tutoring as attendance of one or more sessions, we chose a broad definition of participation. If we had defined participation more narrowly (as attending more meetings or sessions), it is likely that the results we found would have been stronger than what we observed, assuming the samples were sufficiently large so that all combinations were adequately represented.

Table 2

PASS RATES OF GRADUATES PRIOR TO AND AFTER THE PROGRAM'S IMPLEMENTATION			
	Pre-ASP	Post-ASP	Improvement
Class Overall	73.3%	79.5%	8.5%
Top 1/2 Class	93.9%	94.1%	0.2%
Bottom 1/2 Class	51.3%	64.0%	24.8%

...

To minimize any noise in the data—the possibility that something other than the bar support program contributed to the stronger bar passage rate—we used two control groups: the students who graduated prior to the implementation of the bar support program and the students who had the opportunity to participate in the program but chose not to do so. Although we cannot definitively prove that the bar support program caused an increase in the University of Richmond's bar passage rate, the results of our investigation support this conclusion.

Empirical Results

Since the implementation of the bar support program at the University of Richmond, there has been a statistically significant²⁵ improvement in the bar passage rate. Importantly, the improvement was most apparent in the bottom half of the class—those students most at risk of failing the bar examination on their first attempt. . . . From the July 1997 examination through the February 2001 examination, the passage rate for students in the bottom half of the class was 51.3%. The fourth-quartile passage rate was 26.0%. In comparison, the passage rate for the top half of the class was 93.9%.

Table 3

PASS RATES OF AT-RISK GRADUATES WHO PARTICIPATED IN THE PROGRAM AND WHO DID NOT			
	Participant	Non-Participant	Improvement
At Risk Overall	71.6%	55.7%	28.5%
3rd Quartile	91.9%	78%	17.8%
4th Quartile	48.1%	27.7%	73.6%

We found significant improvement in the passage rate for students as a whole after the bar support program was implemented. Comparing the overall performance on the bar examination before implementation of the program with the overall performance on the bar examination after implementation, we found an 8.5% improvement in the bar passage rate for students as a whole after the bar support program was implemented.²⁶ Our hypothesis is that the bar support program was a significant factor in the increased bar passage rate. . . . The passage rate for students in the bottom half of the class increased 12.7 percentage points, or 24.8%, with implementation of the bar support program: from 51.3% to 64.0%. The probability of observing a 12.7 percentage point difference is highly significant ($p < 0.005$).²⁷ We can conclude from this analysis that the students' passage rate improved for the bottom half of the class after the bar support program was implemented.

Thus, we see that the overall passage rate has improved since the program was implemented four years ago. More critically, the passage rate for the bottom half of the class has improved dramatically,

while the passage rate for the top half of the class has remained constant. It is possible, of course, that other factors could have caused the improvement during the observed time period. . . . [Editor's note: In this section of the original article, the authors discuss several other factors, such as improved student credentials, that could have caused the increase in Richmond's bar passage rate and conclude that these other factors likely were not responsible for the observed increase.]

Looking more specifically at the data from the third quartile and fourth quartile separately, we find that there was a 17.8% improvement in the bar passage rate of the third-quartile students who participated in the bar support program. . . . More dramatically, there was a 73.6% improvement in the bar passage rate of the fourth-quartile students who participated in the bar support program. . . . This improvement suggests that the bar support program's positive impact on the passage rates is felt throughout the bottom half of the class.

Finally, we found that students in the top two quartiles did not benefit, at least not statistically, from taking the bar support program Generally, these students can be expected to pass the bar examination with no assistance. While there may be no statistically significant improvement in these students' bar passage rates, the bar support program may have provided intangible benefits—such as increased confidence on testing day—that are more difficult to measure.

...

Student Participation in the Program . . .

At the University of Richmond, as the bar support program has become better known, attendance has increased. The percentage of at-risk students who participated in both components has risen substantially, from just under 4% in the first year to approximately 27% in the second and third years

and 20% in the fourth year. . . . The tutoring program experienced similar growth. . . . Finally, a substantial percentage of at-risk students participated in at least one component of the bar support program: 40% in July 2001, 73% in July 2002, 57% in July 2003, and 42% in July 2004. . . .

For schools hesitating to implement a bar support program for fear that students most at risk for failing the bar examination will not participate, our advice is "build it and they will come."²⁸ They will not all come. Schools should not expect 100% participation. But, as the program at the University of Richmond demonstrates, if a school offers a quality bar support program, it is likely that enough students will participate to significantly impact the bar passage rate.²⁹

Non-empirical Results

This [article] provides empirical data and statistical analysis suggesting that the bar support program at the University of Richmond improved the bar passage rates. In addition to the data and the statistics, however, the program generates powerful intangible benefits, including the possibility that the graduates will become more competent attorneys. The bar support program teaches students legal reasoning, legal writing, and time management. Because the program helps graduates become more proficient in these areas, it serves a greater benefit than simply helping students pass the bar examination.

Student evaluations and unsolicited feedback about the program have been overwhelmingly positive and appreciative. As just one example, a student wrote: "Thanks to the school . . . for developing this program. I really appreciate the no-nonsense approach the [bar preparation class] takes towards early bar preparation I feel like students who take this course prior to taking a private bar review course will be at a big advantage." Another student

wrote, “I know (without a doubt) that the essay reviews [during tutoring] were instrumental to my passing the bar exam.” And:

Going into the exam, I felt that I had a thorough understanding of how to think about the essay questions and properly outline my response Without [the tutoring sessions], I am positive that I would not have had the confidence or the proper preparation to pass.³⁰


Thus, in crunching the numbers and deciding whether a bar support program is “worth it,” law schools should not overlook the very positive impact that such a program can have on their graduates as they sit for the bar on examination day and as they reflect on their law school and bar examination experiences in the future.

CONCLUSION

The bar examination, in its current format, is imperfect. Yet despite these imperfections, it is likely to remain a reality that law students must face. As academics, we should encourage and work with bar examiners to improve the test format, content, and experience for our graduates. While we work to improve the test itself, we must find ways of making sure our graduates have every opportunity to pass the bar examination. With the enormous debt that students incur to attend law school, law schools have an obligation to help every student who wishes to practice law pass the bar, and do so on his or her first attempt.

Data from the University of Richmond’s last four years support the conclusion that the bar support program can be credited with improving the chances that graduates will pass the bar examination on the first attempt. And the program does so for modest cost. Because a bar support program is relatively inexpensive to implement, while providing a distinct

advantage to graduates, it makes good sense to consider offering such a program.

We have studied only one bar support program at one law school; and thus, we cannot say with certainty that such a program will benefit every school. Nonetheless, the empirical evidence strongly suggests the effort will benefit the students. Furthermore, while the University of Richmond has adopted a successful program and, thus, offers one model, other interested schools should consider implementing programs appropriate to their individual circumstances. We do not intend to imply that the University of Richmond’s program is the only answer; it is just one cool way to address this hot issue. 

ENDNOTES:

1. See, e.g., Sam Hanson, *The Relationship Between Bar Admissions and Law Schools*, 72 BAR EXAMINER 3:2 (Aug. 2003) (law schools have recently focused on bar admissions); see *infra* notes 3-4, and accompanying text.
2. E.g., Richard Cabrera, Essay, *Working to Improve: A Plan of Action for Improving the Bar Exam Pass Rate*, 27 WM. MITCHELL L. REV. 1169 (2000); Margaret Fuller Corneille, *Bar Admissions: New Opportunities to Enhance Professionalism*, 52 S.C. L. REV. 609 (2001); Andrea A. Curcio, *A Better Bar: Why and How the Existing Bar Exam Should Change*, 81 NEB. L. REV. 363 (2002); Kristin Booth Glen, *When and Where We Enter: Rethinking Admission to the Legal Profession*, 102 COLUM. L. REV. 1696, 1704 (2002); David A. Logan, *Upping the Ante: Curricular and Bar Exam Reform in Professional Responsibility*, 56 WASH. & LEE L. REV. 1023 (1999); Deborah J. Merritt et al., *Raising the Bar: A Social Science Critique of Recent Increases to Passing Scores on the Bar Exam*, 69 U. CIN. L. REV. 929 (2001).
3. See Committee on Bar Admissions and Lawyer Performance & Richard A. White, *ABA Survey of Law Schools on Programs and Courses Designed to Enhance Bar Examination Performance*, 52 J. LEGAL EDUC. 453, 454 (2002) [hereinafter Comm. on Bar Admissions].
4. See *id.* at 455-56. The committee sent a survey to the deans of 182 law schools asking whether the school provided a program intended to or resulting in improved graduates’ bar passage, and 108 schools responded. *Id.* at 455. One-third offer a program intended to increase the bar passage rate of their graduates. *Id.* at 456. Another one-third reported that they provide a program that they believe improves bar performance, while not having been intended for that purpose. *Id.*

5. *Id.* at 462; see, e.g., Leslie Yalof Garfield & Kelly Koeing Levi, *Finding Success in the "Cauldron of Competition": The Effectiveness of Academic Support Programs*, 2004 BYU EDUC. & L.J. 1, 24 (2004) (reporting an improvement in the bar passage rate of ten percentage points based on the results of only five students); Adam G. Todd, *Academic Support Programs: Effective Support Through a Systemic Approach*, 38 GONZ. L. REV. 187, 212 (2003) (implying without empirical support that the ASP "resulted in an increase in the bar exam pass rates" by ten percentage points). See generally Jonathan L. Entin, *Scholarship About Teaching*, 73 CHI-KENT L. REV. 847, 854-55 (1998) (critiquing the lack of rigorous empirical research in this area).
6. Comm. on Bar Admissions, *supra* note [3], at 455.
7. Comm. on Bar Admissions, *supra* note [3], at 456.
8. A law school's bar passage rate often is an issue of great concern to alumni and to current and prospective students because it affects a school's position in *U.S. News & World Report's* ranking of American law schools.
9. The ASP at the University of Richmond strives to improve students' academic performance during law school and on the bar examination. "Those two goals complement each other well because of the thoroughly documented correlation between law school performance and first-time bar passage." Emmeline M. Paulette, *An Introduction to the Mission and Methodology of Academic Support, Educ. & Prac.* (Va. State Bar/Section on Educ. of Lawyers, Richmond, Va.), Spring 2001, at 3.
10. The first-year support includes a voluntary, non-credit class that meets regularly during first and second semesters and individual academic counseling. It is possible that providing assistance early on to students in academic difficulty also positively affects bar passage rates; we have not tested this hypothesis.
11. Professor Reeves also teaches an upper-level elective course as part of the Academic Success Program.
12. The bar preparation class is based largely on a similar program designed and taught by Professor Richard Litvin at Quinnipiac University School of Law. Professor Reeves gratefully acknowledges Professor Litvin's indispensable assistance in implementing a successful bar support program at the University of Richmond.
13. Until recently, law schools could not offer credit for these types of courses. The ABA House of Delegates, however, recently approved a proposal to allow law schools to offer limited credit for non-required bar examination preparation courses. The credit cannot count towards the graduation requirement. ABA Standards, Standard 302, Interpretation 302-7.
14. Most of the students are recent graduates taking the bar examination for the first time, but graduates retaking the bar also may receive tutoring. The passage rates for the repeat takers are not included in our analysis.
15. The topics of substantive law covered in the tutoring sessions include nearly all of the subjects tested on the Virginia bar examination: agency, commercial paper, corporations, creditors' rights, criminal law, criminal procedure, domestic relations, equity, federal jurisdiction and procedure, local government law, partnership, personal property, professional responsibility, real property, sales, secured transactions, trusts, Virginia civil procedure, and wills. Students typically prepare essay answers on questions in each of these subject areas.
16. For example, in answering a bar examination question about the enforceability of a promissory note in the hands of a transferee, some students may simply answer: "No, party A may not enforce the note because it isn't for a fixed amount." That is concise. It may also be correct. But that student does not earn points for identifying the main issue (i.e., whether the note is negotiable), stating the applicable rule (i.e., the elements of negotiability), and explaining how the student applied the law to the given facts in order to reach the conclusion.
17. An essay question testing the "specially manufactured goods" exception to U.C.C. Article 2 statute of frauds demonstrates the point. See U.C.C. 2-201(3)(a) (2001). A student may write an essay correctly concluding that an oral contract is enforceable because the goods were specially manufactured without ever mentioning the statute of frauds. The professor can then explain that a stronger answer provides context by stating the general rule (i.e., a contract for the sale of goods of \$500 or more is within the statute of frauds and must be evidenced by a writing signed by the defendant to be enforceable) before stating and applying the exception (i.e., the specially manufactured goods exception).
18. Consider our previous example of the student who correctly determines that a contract to buy unusual goods is enforceable without ever mentioning the statute of frauds. In week two, in a question testing the concept of piercing the corporate veil, for example, the professor and the student can evaluate whether the student's answer clearly stated the general rule (i.e., shareholders are not personally liable for the debts of the corporation) before addressing the exception of piercing.
19. This quote is based on an oral statement made by a student in the summer of 2003, which is on file with the authors.
20. See Comm. on Bar Admissions, *supra* note [3], at 454 (recognizing the correlation between grades and bar examination performance).
21. Our analysis includes data from the inception of Richmond's bar support program in January 2001 through the July 2004 bar examination.
22. In the section on empirical results, we have analyzed data only for those students who attended the bar support program and also sat for the Virginia bar examination because law schools generally report the passage rate for the state in which the majority of their graduates take the bar examination. . . . For the University of Richmond, that state is Virginia. There were, however, students who participated in the program who took bar exams in other states. For example, during the time the program has been offered, approximately thirty additional students attended the bar preparation class

and presumably took exams in other states.

23. These time estimates are based upon the schedule of an experienced academic support professional. Class preparation time decreases substantially with experience, and tutoring also becomes more efficient; however, as with any type of one-on-one assistance, the tutoring is time-intensive and experience makes only a small difference.
24. Our sample included a total of four hundred seventy-two (472) bar applicants who took the bar before the program was offered and four hundred fifty-nine (459) who took the bar after the program was offered.
25. Statistically significant means that the results are unlikely to be caused by chance. By convention, results are usually considered significant if the probability that the observed event would occur is less than 0.05: meaning that the result would have occurred by chance no more than five out of 100 times. Thus, statistical significance means that the differences found are big enough to conclude that they are due to something other than chance.
26. From July 1997 to February 2001 (before the bar support program started), the University of Richmond's overall bar passage rate (for students in both the top and bottom half of the class) was 73.3%. Three hundred forty-eight (348) students passed the bar of the 475 who sat for the bar examination. From July 2001 until July 2004 (after the bar support program started), the bar passage rate improved to 79.5%. Three hundred sixty-five (365) passed the bar examination of the 459 students who sat for the bar examination. Thus, the improvement was 6.2 percentage points or 8.5%.
27. The number of standard deviations observed is 2.71. Significance at the 0.005 level means that the possibility that the event occurred due to chance alone is equal to or less than five in one thousand.
28. Field of Dreams (Universal Studios 1989).
29. Additionally, a law school could consider offering a bar support program for credit, *see supra* note [13], which may increase at-risk student participation.
30. On file with the authors.

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