

# ARTICLES

## Do Grades Matter?

*Emily Zimmerman\**

### I. INTRODUCTION

Law professors like to think that we know our students. According to some of the literature describing students' experiences in law school, grades are vitally important to law students and may be one of the defining factors of law students' experiences.<sup>1</sup> Some law professors may believe that students are preoccupied with their grades and likely to judge their law school experience based on their grades. Moreover, according to many accounts of grading in law school, the fact that law professors are responsible for grading is apparently nothing to be proud of because law school grading distresses and demoralizes law students.<sup>2</sup> Law professors suggest that both the use of curved grading and students' actual grades in law school may affect their psychological well-being and self-esteem,<sup>3</sup> as well as cause disengagement.<sup>4</sup> Curved grading is criticized

---

\* Associate Professor of Law, Drexel University Earle Mack School of Law; J.D., Yale Law School; A.B., Bryn Mawr College. I thank Ryan Fackler, Monica Rao, and Michael Keesler for their invaluable assistance. They coded and analyzed data, provided feedback, and contributed to my understanding of statistics. Their knowledge, patience, and perseverance are greatly appreciated. David DeMatteo has consistently provided invaluable guidance regarding data analysis and statistics. I also appreciate the assistance and feedback provided by, among others, Sunita Balija, Donald Bersoff, Rebecca Compton, Janet Dickson, Issa DiSciullo, Peter Egler, Daniel Filler, Theresa Gallo, Alex Geisinger, Bernadette McCloskey, Jack Medendorp, Weiwen Miao, Kevin Oates, Ann Renninger, Steven Singer, and Jay Wussow, as well as Christopher Graving, Joan Miller, and the other members of the *Seattle University Law Review*. These are just some of the many individuals who provided much-appreciated assistance during various phases of this research project and Article.

1. See, e.g., Gerald F. Hess, *Heads and Hearts: The Teaching and Learning Environment in Law School*, 52 J. LEGAL EDUC. 75, 78 (2002).

2. E.g., Douglas A. Henderson, *Uncivil Procedure: Ranking Law Students Among Their Peers*, 27 U. MICH. J.L. REFORM 399, 415 (1994); Note, *Making Docile Lawyers: An Essay on the Pacification of Law Students*, 111 HARV. L. REV. 2027, 2033 (1998) [hereinafter *Making Docile Lawyers*].

3. Roger C. Cramton, *The Current State of the Law Curriculum*, 32 J. LEGAL EDUC. 321, 329 (1982).

for promoting competition and anxiety among law students.<sup>5</sup> In addition, law professors have described the disappointment and distress suffered by law students when their grades do not meet their expectations based upon their prior successful academic performance in college.<sup>6</sup>

Do law professors really know our students as well as we think we do, or is our vision clouded by our own experiences and biases? Maybe law professors think that grades define law students' experience in law school because grades defined *our* experience when we were law students. Alternatively, maybe law professors think that grades are so central to students' law school experience because we are the ones who give grades to students. Thinking that grades are central to our students' law school experience might really be a manifestation of our belief that we are (or our desire to be) central to our students' experience. In fact, although there is an abundance of literature criticizing law school grading, there is relatively little empirical research regarding grading (and assessment generally) in legal education.<sup>7</sup> Even more surprising, there is

---

4. See Barbara Glesner Fines, *Competition and the Curve*, 65 UMKC L. REV. 879, 901 (1997) (noting that “[s]tudents whose grades are disappointing to them” tend to “withdraw”); Henderson, *supra* note 2, at 415 (describing how curved grading and ranking cause students to disengage from law school).

5. ROY STUCKEY ET AL., BEST PRACTICES FOR LEGAL EDUCATION: A VISION AND A ROADMAP 237, 243–45 (2007) [hereinafter STUCKEY ET AL., BEST PRACTICES]; WILLIAM M. SULLIVAN ET AL., EDUCATING LAWYERS: PREPARATION FOR THE PROFESSION OF LAW 168–69 (2007) [hereinafter SULLIVAN ET AL., CARNEGIE REPORT]; Glesner Fines, *supra* note 4, at 902; Lawrence S. Krieger, *Human Nature as a New Guiding Philosophy for Legal Education and the Profession*, 47 WASHBURN L.J. 247, 297–300 (2008). Glesner Fines notes that for students who lack confidence or for students who do not thrive on competition, curved grading may undermine their learning and academic performance. Glesner Fines, *supra* note 4, at 902–05.

6. *E.g.*, Hess, *supra* note 1, at 78.

7. See Andrea A. Curcio, *Assessing Differently and Using Empirical Studies to See If It Makes a Difference: Can Law Schools Do It Better?*, 27 QUINNIPIAC L. REV. 899, 924 (2009) [hereinafter Curcio, *Assessing Differently*] (noting the relative lack of empirical research regarding assessment in legal education). Within the past few years, the literature regarding assessment in legal education—some of which describes empirical research—has grown. See, *e.g.*, Andrea A. Curcio, *Moving in the Direction of Best Practices and the Carnegie Report: Reflections on Using Multiple Assessments in a Large-Section Doctrinal Course*, 19 WIDENER L.J. 159, 162 (2009) [hereinafter Curcio, *Multiple Assessments*]. In particular, recent literature has focused on law schools' experiences assessing student learning outcomes and professors' experiences using particular assessment methods in their classes. See, *e.g.*, Mary A. Crossley & Lu-in Wang, *Learning by Doing: An Experience with Outcomes Assessment*, 41 U. TOL. L. REV. 269, 269 (2010); Curcio, *Multiple Assessments*, *supra*, at 162–70. One of the reasons for this attention seems to be that a process is currently underway to consider the incorporation of explicit provisions regarding assessment into the American Bar Association's Standards for the Approval of Law Schools. See AM. BAR ASS'N, SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, STANDARDS REVIEW COMM., DRAFT FOR JULY MEETING: CHAPTER 3 PROGRAM OF LEGAL EDUCATION 6–7 (2011) [hereinafter A.B.A., SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR], [http://www.americanbar.org/content/dam/aba/migrated/2011\\_build/legal\\_education/committees/standards\\_review\\_documents/july2011meeting/20110621\\_ch\\_3\\_program\\_of\\_legal\\_education\\_clean\\_copy.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/migrated/2011_build/legal_education/committees/standards_review_documents/july2011meeting/20110621_ch_3_program_of_legal_education_clean_copy.authcheckdam.pdf) (containing information about draft

even less empirical research that investigates law students' attitudes regarding grading or explores the impact of grades on law students.<sup>8</sup>

Rather than discuss grading from yet another law professor's perspective, this Article presents empirical research regarding *law students'* perspectives on grading. Specifically, this Article presents data regarding law students' expectations and attitudes about both their actual grades and the use of curved grading in law school.

This research indicates that many students come to law school with unrealistically high expectations regarding their grades. Despite conventional wisdom that law students become demoralized after receiving their grades, however, this research suggests that students are, in general, resilient when their expectations are not met.

These results do not suggest that students are indifferent about grades. To the contrary, students overwhelmingly responded that getting good grades was important to them. Moreover, the data do indicate a relationship between grade point average and enjoyment of law school.

---

Standard 304, regarding "Assessment of Student Learning," and draft Standard 305, regarding "Institutional Effectiveness"); see also Crossley & Wang, *supra*, at 271–73 (presenting a historical overview of the consideration of American Bar Association standards regarding assessment).

This Article focuses on data regarding students and grading. Grading is one way, although not the only way, in which the achievement of learning objectives can be determined. Some scholars have distinguished between the evaluation of a student's work that takes place in a single course and the evaluation of whether an educational program overall has enabled students to achieve the learning objectives of that program. *E.g.*, Crossley & Wang, *supra*, at 270. The assessment of student performance, however, is necessarily an integral part of assessing how well a program of legal education is achieving its educational objectives. GREGORY S. MUNRO, *OUTCOMES ASSESSMENT FOR LAW SCHOOLS* 99 (2000); see also Lori A. Roberts, *Assessing Ourselves: Confirming Assumptions and Improving Student Learning by Efficiently and Fearlessly Assessing Student Learning Outcomes*, 3 DREXEL L. REV. 457, 459–61 (2011) (discussing the differences and relationships between "[g]rading, or student assessment" and "assessment of student learning outcomes"). In addition, grading ("summative assessment") is not the only way in which student performance can be assessed; "formative assessment" can also be used to assess and provide feedback to students (and professors). STUCKEY ET AL., *BEST PRACTICES*, *supra* note 5, at 255–56.

8. See Emily Zimmerman, *What Do Law Students Want?: The Missing Piece of the Assessment Puzzle*, 42 RUTGERS L.J. 1 (forthcoming 2010) [hereinafter Zimmerman, *What Do Law Students Want?*] (reviewing empirical research regarding law students and assessment). Some empirical research with law students has included assessment-related items but has not reported students' responses to these individual items; rather these items have been used to create composite scores for the students. Daniel N. McIntosh et al., *Stress and Health in First-Year Law Students: Women Fare Worse*, 24 J. APPLIED SOC. PSYCHOL. 1474, 1482, 1498 (1994). Other empirical research addressing, *inter alia*, law students' attitudes regarding some aspects of assessment was conducted several decades ago. See Steve H. Nickles, *Examining and Grading in American Law Schools*, 30 ARK. L. REV. 411 (1977). This research project investigated grading practices in law schools and respondents' opinions regarding some aspects of law school grading. *Id.* at 482–90. Nickles mailed a questionnaire to law school deans, law review editors in chief, and student bar association presidents and received responses from "61 deans (or their delegates), 41 law journal staff members, and 37 student bar association representatives." *Id.* at 422, 422 n.25. This research project did not investigate students' expected or reported law school grades, which are largely the foci of this Article.

Students' law school grades, however, might not be as singularly defining as law professors believe. For example, statistically significant relationships were not found between students' law school grade point average and either their satisfaction with attending law school or their anticipated enjoyment of being lawyers.

Legal educators must take seriously the importance of grades to law students, but students' grades may be less salient in certain respects than many legal educators believe. The data indicate that the relationship between law school grading and law students' attitudes toward law school is likely more nuanced than previous literature suggests. Part II of this Article discusses critiques of law school grading, as well as empirical research regarding students' grade expectations. Part III describes my empirical research and presents the results regarding students' expectations and attitudes toward both their actual grades and curved grading generally. Part IV discusses these results and explores their implications for legal education. In addition to providing insights into law students and grading, this research highlights the need for legal educators to learn more about law students' perspectives regarding all aspects of legal education.

## II. LAW SCHOOL GRADING AND STUDENTS' GRADE EXPECTATIONS

By investigating law students' expectations and attitudes regarding their grades and curved grading, this research provides data that are relevant to current efforts to improve assessment in legal education.<sup>9</sup> In addition, studying whether there is any relationship between law students' grades relative to their expectations and students' attitudes regarding their law school experience can help us better understand, and possibly improve, students' experience in law school. Furthermore, this research contributes to the existing literature regarding students' grade expectations. This Part will situate my research in the existing literature regarding both grading in legal education and students' grade expectations.

### *A. Law Students and Grading*

One of the predominant narratives regarding law students and grades is that students suffer because of grades: grades are extremely

---

9. See, e.g., STUCKEY ET AL., BEST PRACTICES, *supra* note 5; SULLIVAN ET AL., CARNEGIE REPORT, *supra* note 5; A.B.A., SECTION OF LEGAL EDUC. & ADMISSIONS TO THE BAR, *supra* note 7.

stressful for law students,<sup>10</sup> and they present an impediment to students having a positive, constructive experience in law school.<sup>11</sup>

Grades—particularly first-year grades—are said to be so stressful because of their significance. The grades that students receive in their first year of law school are likely to impact whether students can remain in law school, retain scholarships, and participate in law journals.<sup>12</sup> Moreover, grades may influence students' employment prospects, both with respect to summer jobs while in law school and clerkships and other job opportunities after law school.<sup>13</sup> The grades that students receive are significant; in a weak job market, grades take on an even greater significance, likely with a corresponding increase in grade-related stress.<sup>14</sup>

Grading is also thought to be stressful for law students because grades are typically determined according to a curve.<sup>15</sup> Curved grading is

---

10. *Making Docile Lawyers*, *supra* note 2, at 2033; Grant H. Morris, *Preparing Students for Disappointing Exam Results: Lessons from Casey at the Bat*, 45 SAN DIEGO L. REV. 441, 449 (2008).

11. Krieger, *supra* note 5, at 297–303.

12. *See, e.g.*, Cramton, *supra* note 3, at 328–29 (noting that grades control access to many opportunities both in and outside of law school). The significance of grades with respect to scholarship retention has received recent attention. *See* David Segal, *Behind the Curve*, N.Y. TIMES, May 1, 2011, at BU1; *see also* Debra Cassens Weiss, *Law Schools Would Have to Disclose Scholarship Retention Rates Online Under ABA Section Proposal*, A.B.A. J. (Aug. 30, 2011), [http://www.abajournal.com/news/article/law\\_schools\\_would\\_have\\_to\\_disclose\\_scholarship\\_retention\\_rates\\_online\\_under/](http://www.abajournal.com/news/article/law_schools_would_have_to_disclose_scholarship_retention_rates_online_under/). To the extent that students have unrealistically high expectations about their law school grades, students might be much more vulnerable to losing their scholarships than they realize. Students might think that achieving the grade point average that is necessary to retain a scholarship will not be a challenge, when in fact, it might be more difficult than students realize. As a result, students might enter law school dependent on scholarship support that will be harder to retain than they appreciate. Knowing students' grade expectations (and the relationship, or lack thereof, between students' grade expectations and their actual grades) could assist both prospective law students as they make decisions regarding scholarships that are dependent on achieving (and maintaining) a particular grade point average and law schools as they help those students make informed decisions.

13. Cramton, *supra* note 3, at 328–29.

14. Hess, *supra* note 1, at 78. In light of the significance of grades to law students, it is perhaps not surprising that some researchers have found that law students are “disproportionately concerned about their grades,” relative to students in other disciplines. Massimiliano Tani & Prue Vines, *Law Students' Attitudes to Education: Pointers to Depression in the Legal Academy and the Profession?*, 19 LEGAL EDUC. REV. 3, 21 (2009). The students surveyed for Tani and Vines's research project were predominantly undergraduates, and the researchers included only data from the undergraduate law students in their analyses, although they note that their “results and conclusions” would not be significantly different if data from the graduate students were also included. *Id.* at 5, 12 n.21.

15. More recent criticisms of curved grading in publications such as *Best Practices for Legal Education* and the *Carnegie Report* echo previous critiques. STUCKEY ET AL., *BEST PRACTICES*, *supra* note 5, at 237, 243–44; SULLIVAN ET AL., *CARNEGIE REPORT*, *supra* note 5, at 168–69; *see also* Henderson, *supra* note 2.

Strictly speaking, “curved grading” refers to students' grades being assigned so that they are distributed along a particular curve (typically, a normal distribution). *See* STUCKEY ET AL., *BEST PRACTICES*, *supra* note 5, at 244; SULLIVAN ET AL., *CARNEGIE REPORT*, *supra* note 5, at 168. Schools may impose particular requirements (for example, grade means or distributions (or a combi-

blamed for causing law student distress because students' grades are determined by reference to other students' performance, rather than against "objective" standards.<sup>16</sup> Students cannot control their grades because, while they have some control over their own performance, they cannot control their classmates' performance.<sup>17</sup> Students cannot predict the grades they will receive because they do not know how their classmates will perform. In addition, curved grading is blamed for law student distress because it promotes competition.<sup>18</sup> Curved grading is also criticized for causing students to disengage from their studies.<sup>19</sup>

Although there is much criticism of curved grading in legal education literature, there is a distinct lack of empirical research regarding law students' perspectives on curved grading.<sup>20</sup> From the critiques in the existing literature, one would think that law students uniformly dislike curved grading.<sup>21</sup> This is not necessarily the case.<sup>22</sup> In fact, there are certain aspects of curved grading that some students might appreciate. For example, curved grading can promote consistency in grades between dif-

---

nation of the two)) in order to standardize their students' grades. See Robert C. Downs & Nancy Levit, *If It Can't Be Lake Woebegone . . . A Nationwide Survey of Law School Grading and Grade Normalization Practices*, 65 UMKC L. REV. 819, 837-40 (1997). Curved grading is used here to refer to these practices and is also used in a broader (albeit related) sense to refer to grading practices whereby students are graded relative to one another, rather than being individually assessed according to particular performance standards ("norm-referenced" grading, as opposed to "criterion-referenced" grading). See STUCKEY ET AL., BEST PRACTICES, *supra* note 5, at 243-44. Criticisms of law school grading practices address both the requirement that grades satisfy a normal distribution and the practice of judging students' performance relative to that of their classmates. See, e.g., *id.*

16. Glesner Fines, *supra* note 4, at 896.

17. See Krieger, *supra* note 5, at 298-99 (criticizing curved grading for undermining students' autonomy).

18. E.g., Glesner Fines, *supra* note 4, at 896. Not all scholars agree with this critique. See Downs & Levit, *supra* note 15, at 855-56 (questioning some of the assumptions underlying the critique that curved grading encourages competitiveness among students).

19. Henderson, *supra* note 2, at 415; see also Ann L. Iijima, *Lessons Learned: Legal Education and Law Student Dysfunction*, 48 J. LEGAL EDUC. 524, 535 n.51 (1998) ("[S]ignificant numbers of students apparently lose motivation when faced with the intensely competitive situation [caused by curved grading].").

20. In fact, there is relatively little empirical research about either law students' perspectives regarding assessment or, more broadly, about law school assessment. See Zimmerman, *What Do Law Students Want?*, *supra* note 8. (noting the lack of empirical research regarding law students' perspectives regarding assessment and discussing the author's empirical research regarding law students' assessment preferences); see also Curcio, *Assessing Differently*, *supra* note 7, at 924 (noting the relative lack of empirical research regarding assessment in legal education).

21. See, e.g., SULLIVAN ET AL., CARNEGIE REPORT, *supra* note 5, at 165-67 (critiquing curved grading and discussing feedback from law students regarding law school grading). But see Downs & Levit, *supra* note 15, at 831 n.36 (noting that in the authors' experience, students at their law school "much prefer a normalization among sections to the specter of having as their professors those with the lower grading standard").

22. As my empirical research indicates, students do not uniformly dislike curved grading. See *infra* Part III.B.2.b; see also Downs & Levit, *supra* note 15, at 831 n.36.

ferent sections of the same course.<sup>23</sup> As a result, first-year students who are assigned to different sections of the same course will not be “penalized” if they are assigned to a section taught by a professor who would otherwise give lower grades than another professor teaching the same course.<sup>24</sup> In this way, curved grading may actually “reduce student anxiety about professors who routinely grade low.”<sup>25</sup>

In addition, although one narrative regarding curved grading is that complying with the curve “forces” professors to give students lower grades than students would otherwise receive, an alternate narrative is that curved grading causes professors to give higher grades than they would otherwise give. Curved grading might result in professors giving higher grades because students are graded relative to one another’s performance. Curved grading may cause professors to recalibrate their grading standards, so that the top performer in the class sets the standard for the top grade in the class, even if that student’s performance would not have received the highest available grade according to an “objective” (or criterion-referenced) standard. Thus, curved grading may cause professors to adjust students’ grades upward, rather than downward.<sup>26</sup>

Another facet of the narrative linking law school grading and student distress is that students are frequently disappointed by their grades, particularly first-year law students.<sup>27</sup> According to the literature, first-year law students are most vulnerable to this disappointment because they are used to receiving good grades and come to law school expecting to continue to receive good grades.<sup>28</sup> First-year law students come to law school having previously been academically successful; most first-year law students received good grades in their undergraduate institutions or

---

23. Downs & Levit, *supra* note 15, at 820–21, 843.

24. *See id.* at 831 n.36.

25. *Id.* at 846.

26. In other words, curved grading may help professors evaluate students’ work according to more realistic standards, by grading students (at least in part) relative to one another’s performance, rather than based on professors’ (perhaps idealized or unrealistic) views of what students’ performance should be. This observation does not address all of the critiques of curved grading. Even if curved grading results in professors adjusting students’ grades upward, curved grading may still undermine students’ autonomy and promote unhealthy competition among students. To the extent that curved grading is criticized for causing professors to give students lower grades than professors would otherwise give, however, there is another side to the story.

27. The importance that law students place on their grades may exacerbate students’ distress when they receive disappointing grades. *See* Iijima, *supra* note 19, at 527 (“Law school’s arguable focus on a narrow definition of success—getting high grades and securing prestigious employment—undermines the foundation that previously gave students a sense of self-worth, purpose, and personal fulfillment. Ironically, while the students’ worth becomes increasingly identified with intellectual ability, their intellectual ability comes into question, perhaps for the first time.”).

28. Morris, *supra* note 10, at 449.

else they would not have become first-year law students.<sup>29</sup> In law school, however, these students, in general, do not receive grades that are comparable to their undergraduate grades, and as a result, they experience distress and disappointment.<sup>30</sup>

Students may be disappointed with their grades because their grades did not match their expectations, even if their grades were not necessarily “bad.”<sup>31</sup> Students’ expectations for their grades might determine—or, at least, influence—their experience upon receiving their grades. A student who received a 3.0 but expected a 2.0 might have a very different reaction than a student who received a 3.0 but expected a 4.0. Thus, while grades might be labeled “good” or “bad” in the abstract, grades might also have meaning relative to students’ expectations.

Law students might set themselves up for disappointment because they have unrealistically high expectations for their grades. Based on their previous academic success, law students might have expectations for their law school grades that are unrealistic, given the grading schemes and standards used in law schools.<sup>32</sup> In fact, some scholars have suggested that the grade means set by law schools are too low.<sup>33</sup> Moreover, law students might have unrealistically high expectations for their grades, regardless of how they performed as undergraduates. Prior research suggests that students tend to have high expectations for their per-

---

29. Jay M. Feinman, *Law School Grading*, 65 UMKC L. REV. 647, 650 (1997); Steven Hartwell & Sherry L. Hartwell, *Teaching Law: Some Things Socrates Did Not Try*, 40 J. LEGAL EDUC. 509, 519 n.31 (1990); Iijima, *supra* note 19, at 527; Morris, *supra* note 10, at 449.

30. Morris, *supra* note 10, at 450; *see also* Hess, *supra* note 1, at 78; Iijima, *supra* note 19, at 527; *Making Docile Lawyers*, *supra* note 2, at 2035, 2037. This phenomenon does not seem to be limited to students in United States law schools. *See* Tani & Vines, *supra* note 14, at 8 (discussing the experiences of Australian law students).

31. Glesner Fines, *supra* note 4, at 901.

32. To the extent that students are unaware of the use of curved grading in law school (or the nature of the curve), students might not realize that their expectations are unrealistic. Some scholars have recommended that legal educators make a concerted effort to adjust their students’ expectations in the first year of law school. *See* Miriam E. Felsenburg & Laura P. Graham, *Beginning Legal Writers in Their Own Words: Why the First Weeks of Legal Writing Are So Tough and What We Can Do About It*, 16 J. LEGAL WRITING INST. 223, 296 (2010) (“[L]egal writing professors should be more deliberate about helping our students manage their expectations to avoid the frustration and resentment that often stem from the false belief that they will easily and quickly master legal writing.”). Even if students are told the realities of law school grading (and other aspects of law school, such as the difficulty of the work), students might not accept that those realities apply to them. *See Making Docile Lawyers*, *supra* note 2, at 2033–34.

33. Krieger, *supra* note 5, at 299; *see also* Philip C. Kissam, *Law School Examinations*, 42 VAND. L. REV. 433, 496 (1989) (“[L]aw schools should revise their mandatory grading curves . . . in order to allow higher grades.”).



formance,<sup>34</sup> and prior research also suggests that law students are not immune from this tendency.<sup>35</sup>

Another prevailing narrative regarding law students and grades suggests that when law students receive disappointing or discouraging grades, the consequences extend throughout the remainder of their law school experience. According to this narrative, many students suffer a loss of self-esteem when they receive their first set of law school grades.<sup>36</sup> Having put so much stock in their law school grades (and having previously received good grades), students suffer a crisis of confidence when they receive grades that do not measure up to their expectations. Moreover, students' first set of law school grades might be the lowest grades that they have ever received.<sup>37</sup> This narrative suggests that law students may disengage from law school when they receive disappointing grades.<sup>38</sup> Students may disengage because they are demoralized and lose confidence in their abilities,<sup>39</sup> because they realize they are not likely to improve their rank in law school,<sup>40</sup> or because they feel there is no relationship between their grades and the effort that they expend on their classes.<sup>41</sup>

In response to concerns about law students' disappointment and disengagement following receipt of their grades, some scholars suggest that law students should be encouraged to have more realistic expectations for their law school performance.<sup>42</sup> This suggestion, however, presupposes both that law students have unrealistically high expectations for

---

34. See *infra* note 49. Research regarding students' grade expectations will be addressed more fully in the next section. See *infra* Part II.B.

35. Hoorie I. Siddique et al., *Worry, Optimism, and Expectations as Predictors of Anxiety and Performance in the First Year of Law School*, 30 COGNITIVE THERAPY & RES. 667, 672 (2006); LINDA F. WIGHTMAN, LSAC NATIONAL LONGITUDINAL BAR PASSAGE STUDY 69–70 (1998).

36. Hess, *supra* note 1, at 78; *Making Docile Lawyers*, *supra* note 2, at 2039.

37. See *Making Docile Lawyers*, *supra* note 2, at 2035.

38. Glesner Fines, *supra* note 4, at 901; Morris, *supra* note 10, at 452–53; Nickles, *supra* note 8, at 477 n.215.

39. *Making Docile Lawyers*, *supra* note 2, at 2034, 2034 n.30; see also Glesner Fines, *supra* note 4, at 900 (noting that students' focus on grades "combined with self-doubt leads to a reduction in involvement overall"). Although students who do better than expected might experience newfound confidence, the prevailing view seems to be that more students experience a loss of confidence upon receiving their first set of law school grades. *Making Docile Lawyers*, *supra* note 2, at 2034, 2034 n.30, 2036.

40. Henderson, *supra* note 2, at 415.

41. B. A. Glesner, *Fear and Loathing in the Law Schools*, 23 CONN. L. REV. 627, 658 (1991).

42. See Paula Lustbader, *You Are Not in Kansas Anymore: Orientation Programs Can Help Students Fly Over the Rainbow*, 47 WASHBURN L.J. 327, 361 (2008) ("It is easy to recognize the need to buil[d] students' confidence, but it is also necessary to gently provide a reality check for those students with inflated confidence."); cf. Felsenburg & Graham, *supra* note 32, at 296 (recommending that legal writing professors help students to have more realistic expectations regarding developing their legal writing skills).

their grades and that these unrealistically high expectations are harmful. Although there is anecdotal support for the narrative of law students becoming demoralized and disengaged after receiving their first set of law school grades, this is not the only possible story. One alternate narrative is that law students adapt to the grading realities of law school by adjusting their expectations.<sup>43</sup> In this narrative, students do not disengage from law school in response to receiving disappointing grades but instead modify their expectations to reflect more closely the realities of law school grading.<sup>44</sup>

Even if students do not readjust their grade expectations, disappointing grades may not debilitate students as much of the literature suggests. In fact, one empirical research project found that law students' first-semester grade point average was unrelated to decreases in well-being that occurred during the first year of law school.<sup>45</sup> These research-

---

43. One group of researchers questioned the extent to which new law students can accurately predict their performance in law school because of those students' lack of familiarity with law school exams. Rolando J. Díaz, Carol R. Glass, Diane B. Arnkoff & Marian Tanofsky-Kraff, *Cognition, Anxiety, and Prediction of Performance in 1st-Year Law Students*, 93 J. EDUC. PSYCHOL. 420, 426 (2001). *But see* Siddique et al., *supra* note 35, at 673 (finding positive correlations between these law students' expected and actual performance).

44. In addition, law students might modify the importance they attach to receiving high grades once they realize that they are less likely to receive those grades than they expected. *See* Glesner, *supra* note 41, at 633 (identifying students' "use of rationalization as a coping device").

Yet another possibility is that law students who receive disappointing grades might be motivated to work harder or differently in order to improve their grades. *See* Nickles, *supra* note 8, at 431 n.60. Nickles asked law school deans and law students, "Do you believe that students who receive lower grades than they may have wished or expected tend to work harder or to become discouraged and lose a degree of incentive and interest?" *Id.* The two most popular responses were "[s]ometimes work harder" and "[s]ometimes become discouraged." *Id.* Nickles noted that some respondents explained:

(1) In the first year of law school, low grades are an encouragement to work harder, but in the second and third years the tendency when one receives a low grade is to lose incentive. (2) Low grades can serve to motivate and to provide incentive to do better, but with mounting pressures of continuing lower grades than expected, the result is for the student to become discouraged and to lose interest.

*Id.*

45. Kennon M. Sheldon & Lawrence S. Krieger, *Does Legal Education Have Undermining Effects on Law Students? Evaluating Changes in Motivation, Values, and Well-Being*, 22 BEHAV. SCI. & L. 261, 272 (2004) [hereinafter Sheldon & Krieger, *Does Legal Education*]. Sheldon and Krieger found that from the beginning to the end of the first year of law school, the law students in their study "experienced large reductions in positive affect, life satisfaction, and overall [subjective well-being], and large increases in negative affect, depression, and physical symptoms . . ." *Id.* at 272. Sheldon and Krieger also found, however, that "these main effects were not moderated by . . . first-semester GPA . . ." *Id.*; *see also id.* at 275 n.2. In a subsequent study, these same researchers found that there was a statistically significant positive correlation between students' grade point average in their third year of law school and subjective well-being, although the correlation was not strong. Kennon M. Sheldon & Lawrence S. Krieger, *Understanding the Negative Effects of Legal Education on Law Students: A Longitudinal Test of Self-Determination Theory*, 33 PERSONALITY & SOC. PSYCHOL. BULL. 883, 889 (2007) [hereinafter Sheldon & Krieger, *Under-*

ers also found that students' feelings of competence "did not decline significantly" from the first to the third year of law school,<sup>46</sup> suggesting that law students might not experience a lasting decline in confidence, even if they do experience declining confidence at some point during the first year of law school. There is thus a possibility that law students might be more resilient to the trials and tribulations of law school grading—or at least to their actual law school grades—than some legal educators believe. In fact, in research conducted over thirty years ago, one researcher found a "remarkable" lack of correlation between second- and third-year law students' reported grades and their attitudes about law school.<sup>47</sup>

Even if law students have unrealistically high expectations for their grades, the question still remains whether there is any relationship between those expectations and students' perceptions of their law school experience. The data reported in this Article contribute to our understanding of this question. As will be discussed in greater detail later in the Article, these data suggest that students' expectations for their grades (and students' grades themselves) may be less salient to students' law school experience than some of the literature supposes.

### B. Students' Grade Expectations Generally

While there is some evidence that law students tend to be optimistic about their class rank in law school, very little empirical research exists that specifically investigates law students' grade expectations.<sup>48</sup> There is,

---

*standing the Negative Effects*]; see also Sheldon & Krieger, *Does Legal Education*, *supra*, at 275 (finding relationships between certain motivation-related variables and law school grade point average). These (somewhat inconsistent) findings suggest the need for further research regarding law students, grades, and grading practices, as is discussed in more detail in Part IV of this Article. See *infra* Part IV; see also Sheldon & Krieger, *Does Legal Education*, *supra*, at 282 (noting the need for further research regarding the ways in which the grading practices of a law school might affect the students at that law school).

46. Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 889.

47. Ronald M. Pipkin, *Legal Education: The Consumers' Perspective*, 1976 AM. B. FOUND. RES. J. 1161, 1180.

48. See Siddique et al., *supra* note 35, at 672; WIGHTMAN, *supra* note 35, at 69–70. In their study, Siddique and her colleagues found that incoming first-year law "students were generally optimistic about their expected performance." Siddique et al., *supra* note 35, at 672. These researchers also found a statistically significant positive correlation between students' performance expectations and both their final exam score in their fall semester Contracts course and their "class rank at the end of the first year." *Id.* at 673. For this research project, incoming first-year law students "were asked to indicate how well they expected to perform at the end of their first semester and at the end of their first year of law school. Ratings were made by placing an X along a line that was made up of percentile rankings for overall academic performance." *Id.* at 669. Further analysis indicated that "expected performance significantly predicted first year GPA." *Id.* at 674; cf. Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 893 (finding that students' feelings of competence "predicted higher GPA"). But see Diaz, Glass, Arnkoff & Tanofsky-Kraff, *supra* note 43, at 423 (finding that students' feelings of self-efficacy for a law school final exam and oral argument

however, a body of research outside of the law school context regarding students' grade expectations generally. Although the results of this research are not uniform, there are a number of studies supporting the conclusion that students' grade expectations tend to be overly optimistic.<sup>49</sup> Some researchers have found that students overestimate their expected grades even when they are given information about course grading that might have tempered their expectations.<sup>50</sup>

---

were not related to students' grades on the final exam or evaluations for the oral argument, although there were correlations between self-efficacy for the exam and both oral argument performance and class rank); Jason M. Satterfield et al., *Law School Performance Predicted by Explanatory Style*, 15 BEHAV. SCI. & L. 95, 95–96, 98–101 (1997) (finding that law students who were classified as optimists and nonpessimists tended to perform worse in law school than other law students).

49. See Clifford Nowell & Richard M. Alston, *I Thought I Got an A! Overconfidence Across the Economics Curriculum*, 38 J. ECON. EDUC. 131, 131–32 (2007) (briefly reviewing the literature regarding students' grade expectations); Vincent Prohaska, *"I Know I'll Get an A": Confident Overestimation of Final Course Grades*, 21 TEACHING PSYCHOL. 141, 141 (1994) (same); Soren Svanum & Silvia Bigatti, *Grade Expectations: Informed or Uninformed Optimism, or Both?*, 33 TEACHING PSYCHOL. 14, 14 (2006) (same); see also Kim Andrews et al., *Grade Expectations*, 8 J. ECON. & ECON. EDUC. RES. 3, 7 (2007) (finding that on average students' grade expectations were overly optimistic); Arnie Cann, *Predicting Course Grades: Accurate for Others But Biased for Self*, 32 TEACHING PSYCHOL. 242, 242–43 (2005) (finding that students predicted the grades of their classmates more accurately than they predicted their own grades and that students were "overly optimistic when predicting grades for themselves"). But see David Boud & Nancy Falchikov, *Quantitative Studies of Student Self-Assessment in Higher Education: A Critical Analysis of Findings*, 18 HIGHER EDUC. 529, 540 (1989) (reviewing and critiquing prior research regarding students' self-assessment and concluding that "under different circumstances there are different trends toward[] over and under-rating").

Overconfidence is not limited to students; in fact, one group of researchers noted that "overconfidence is a ubiquitous phenomenon." Jane Goodman-Delahunty et al., *Insightful or Wishful: Lawyers' Ability to Predict Case Outcomes*, 16 PSYCHOL. PUB. POL'Y & L. 133, 135 (2010); see also David A. Armor & Shelley E. Taylor, *When Predictions Fail: The Dilemma of Unrealistic Optimism*, in HEURISTICS AND BIASES: THE PSYCHOLOGY OF INTUITIVE JUDGMENT 334, 334 (2002) (reviewing literature regarding "optimistic bias in personal predictions" and noting that "[o]ne of the most robust findings in the psychology of prediction is that people's predictions tend to be optimistically biased"); Goodman-Delahunty et al., *supra*, at 133–37 (reviewing literature regarding overconfidence); Don A. Moore & Paul J. Healy, *The Trouble with Overconfidence*, 115 PSYCHOL. REV. 502, 512–14 (2008) (same).

50. Svanum & Bigatti, *supra* note 49, at 15–16 (noting that in their study "[a]lmost all [students] anticipated a grade of B or better, despite information presented in the course introduction that less than 50% of students typically earn As and Bs in the course"); see also Sylvia Beyer, *Gender Differences in the Accuracy of Grade Expectancies and Evaluations*, 41 SEX ROLES 279, 286 (1999) (finding that even after receiving their grades on an exam, students overestimated their grades on the next exam); N. T. Feather, *The Effect of Differential Failure on Expectation of Success, Reported Anxiety, and Response Uncertainty*, 31 J. PERSONALITY 289, 296 (1963) (finding that although participants' expected success was related to previous experiences of success, participants "tend to overpredict successes relative to the obtained frequency of successes"). But see Andrews et al., *supra* note 49, at 13 ("[S]tudents with more academic experience were . . . less likely to overestimate their grades in [the classes that were at issue in the authors' study]."). Other researchers have also found that a much higher percentage of students overestimate their expected grades than underestimate their expected grades. Nowell & Alston, *supra* note 49, at 134; Richard Remedios et al., *The Effects of Grades on Course Enjoyment: Did You Get the Grade You Wanted?*, 70 BRIT. J. EDUC.

Although research indicates that many students tend to have unrealistically optimistic expectations regarding their grades, the consequences of these expectations are less clear. Expectations may influence experience,<sup>51</sup> but students' optimistic grade expectations could cut both ways, having both advantages and disadvantages.<sup>52</sup> For example, optimistic grade expectations could benefit students by motivating them to persevere through challenging work.<sup>53</sup> On the other hand, students' optimistic grade expectations could cause disappointment if students receive grades that do not meet their expectations, even if those grades are not "bad" grades.<sup>54</sup> In addition, to the extent that optimistic grade expectations are the result of overconfidence, students with optimistic grade expectations

---

PSYCHOL. 353, 365 (2000); *see also* Jane F. Gaultney & Arnie Cann, *Grade Expectations*, 28 TEACHING PSYCHOL. 84, 85 (2001). Gaultney and Cann found that most students surveyed reported that they "usually get the grade they expect"; however, 58% of students said that when they are surprised by a grade, it is because the grade is lower than they expected, while 42% of students said that when they are surprised by a grade, it is because the grade is higher than they expected. Gaultney & Cann, *supra*, at 85.

As noted previously, *supra* note 49, in addition to research regarding students' performance expectations, there is also literature regarding individuals' predictions in other contexts and the optimism associated with those predictions. *See, e.g.*, Cade Massey et al., *Hope over Experience: Desirability and the Persistence of Optimism*, 22 PSYCHOL. SCI. 274 (2011). Massey and his colleagues also found "that optimism persists despite extensive experience." *Id.* at 279.

51. Richard Remedios & David A. Lieberman, *I Liked Your Course Because You Taught Me Well: The Influence of Grades, Workload, Expectations and Goals on Students' Evaluations of Teaching*, 34 BRIT. EDUC. RES. J. 91, 92 (2008); *see also* Daniel Kahneman & Amos Tversky, *Prospect Theory: An Analysis of Decision Under Risk*, 47 ECONOMETRICA 263, 286 (1979) (noting that one's expectations can influence one's perceptions: a loss that is less than one expected can be perceived as a gain; a gain that is less than one expected can be perceived as a loss).

52. *E.g.*, Beyer, *supra* note 50, at 292–93.

53. *See* Armor & Taylor, *supra* note 49, at 338, 341–43 (discussing possible reasons for a connection between optimistic expectations and performance).

54. Remedios & Lieberman, *supra* note 51, at 93; *see also* Wilco W. van Dijk et al., *Blessed Are Those Who Expect Nothing: Lowering Expectations as a Way of Avoiding Disappointment*, 24 J. ECON. PSYCHOL. 505, 506–09 (2003) [hereinafter van Dijk et al., *Lowering Expectations*] (reviewing literature regarding disappointment and expectations); Wilco W. van Dijk et al., *Effort Invested in Vain: The Impact of Effort on the Intensity of Disappointment and Regret*, 23 MOTIVATION & EMOTION 203, 205 (1999) [hereinafter van Dijk et al., *Effort Invested in Vain*] ("Disappointment has been defined as the displeasure about the nonoccurrence of a desirable expected outcome, or as the psychological reaction to an outcome that does not match up to expectations."). On the other hand, if a student had low expectations for performance in a class, getting a good grade could be particularly encouraging. *See* Ann L. Owen, *Grades, Gender, and Encouragement: A Regression Discontinuity Analysis*, 41 J. ECON. EDUC. 217, 217–18 (2010) (finding that getting an A in Introductory Economics was related to an increased probability of majoring in economics for women but not for men, and noting that getting a good grade might have been especially meaningful for women who "did not expect to do well in the class").

may not manage their work as effectively because they do not appreciate how challenging that work actually is.<sup>55</sup>

Perhaps unsurprisingly, given the potential downsides and upsides of optimistic grade expectations, some researchers suggest that educators should encourage students to have realistic expectations for their grades,<sup>56</sup> while other researchers suggest that optimistic grade expectations may actually be more beneficial than harmful.<sup>57</sup> In suggesting the utility of overly optimistic predictions, researchers both point to the benefits of optimistic predictions in and of themselves (e.g., their motivating effect)<sup>58</sup> and note that even if individuals' performance does not match their expectations, individuals with high expectations might perform better than they would have without those high expectations.<sup>59</sup> As a result, it might be better—at least under some circumstances—for people to maintain their high expectations, rather than be encouraged to have more realistic, lower expectations.<sup>60</sup> As has been suggested, “One would not want a struggling student to resign himself to poor grades at the outset of a new academic term.”<sup>61</sup>

In addition, the downsides of unrealistic expectations might be more theoretical than real.<sup>62</sup> Researchers have noted that the supposed

---

55. See Beyer, *supra* note 50, at 280 (“Self-perceptions that are out of touch with reality not only reveal a lack of self-knowledge, but may also impede effective self-regulation and goal setting in academic, professional, and interpersonal situations.”).

56. E.g., Andrews et al., *supra* note 49, at 16–17; Craig A. Wendorf, *Grade Point Average and Changes in (Great) Grade Expectations*, 29 TEACHING PSYCHOL. 136, 138 (2002).

57. Svanum & Bigatti, *supra* note 49, at 17–18; see also Armor & Taylor, *supra* note 49, at 346 (suggesting that the benefits of “optimistic bias” might outweigh the detriments); cf. Massey et al., *supra* note 50, at 280 (briefly discussing “the rationality debate” regarding whether “optimistic bias is rational”).

58. Armor & Taylor, *supra* note 49, at 342; Clare Lange & Mark Byrd, *Differences Between Students' Estimated and Attained Grades in a First-Year Introductory Psychology Course as a Function of Identity Development*, 37 ADOLESCENCE 93, 95 (2002).

59. Armor & Taylor, *supra* note 49, at 346.

60. *Id.*

61. *Id.*; see also Roy F. Baumeister, *The Optimal Margin of Illusion*, 8 J. SOC. & CLINICAL PSYCHOL. 176, 188 (1989) (“Optimal health, adjustment, happiness, and performance may arise from overestimating oneself slightly.”).

62. See Armor & Taylor, *supra* note 49, at 347 (“To the extent that even optimistically biased predictions enhance performance and that optimistic predictions are associated with emotional and motivational variables such as mood, self-esteem, confidence, and determination, these predictions may sometimes have more self-regulatory benefits than costs and more self-regulatory benefits than accurate predictions would have.”); see also *id.* at 337 (“Although there are a number of intuitively plausible concerns about the negative consequences of optimistic biases, there has been surprisingly little research to justify them . . . . Moreover, what little evidence there is that speaks to these issues does not consistently reveal adverse effects of optimistic bias.”). Conversely, for some individuals, setting low expectations might be more beneficial. Julie K. Norem & Nancy Cantor, *Defensive Pessimism: Harnessing Anxiety as Motivation*, 51 J. PERSONALITY & SOC. PSYCHOL. 1208, 1209 (1986); van Dijk et al., *Lowering Expectations*, *supra* note 54, at 507.

downsides of unrealistic optimism might not happen in reality because people are adaptive and may use strategies (consciously or unconsciously) that mitigate the impact of unmet expectations.<sup>63</sup> For example, individuals might adjust their expectations to better conform to reality.<sup>64</sup> Thus, at least some researchers have suggested that efforts to encourage more realistic expectations may do more harm than good.

Additional research investigating the significance of students' grade expectations could explore some of the questions that the existing literature raises. As one researcher noted, "[I]t would be of great practical and theoretical value if we had a better understanding of the positive or negative effects of overly optimistic expectancies."<sup>65</sup>

Researchers have also explored whether there is a relationship between students' grade expectations and their course evaluations.<sup>66</sup> Although these studies are not identical and do not always reach the same conclusions, many researchers have found that there is a "positive relationship" between the grades that students expect to receive in a course and students' evaluations of that course.<sup>67</sup>

In addition to investigating the relationship between students' grade expectations and course evaluations, some researchers have investigated whether there is a relationship between the grades that students actually receive relative to the grades that they expected to receive and students'

---

63. Armor & Taylor, *supra* note 49, at 343–45.

64. *Id.* at 343–44; *see also* Sara L. Appleton-Knapp & Kathleen A. Krentler, *Measuring Student Expectations and Their Effects on Satisfaction: The Importance of Managing Student Expectations*, 28 J. MARKETING EDUC. 254, 260–61 (2006). In addition, individuals might make initial predictions based on incomplete information and then adjust their expectations as they gain a better understanding of the situation. Armor & Taylor, *supra* note 49, at 344. The finding that unmet expectations might not necessarily lead to dissatisfaction is not limited to the education context. *See* Goodman-Delahunty et al., *supra* note 49, at 146–47 (discussing lawyers' reported satisfaction with case outcomes).

65. Beyer, *supra* note 50, at 294; *see also* Appleton-Knapp & Krentler, *supra* note 64, at 254 ("Although existing research has identified many influences on student satisfaction with various aspects of their education, the role of student expectations has received little attention."); Melissa L. Moore et al., *Student Characteristics and Expectations of University Classes: A Free Elicitation Approach*, 42 C. STUDENT J. 82, 82 (2008) (noting the importance of "understand[ing] student expectations").

66. *See* Horacio Matos-Diaz & James F. Ragan, Jr., *Do Student Evaluations of Teaching Depend on the Distribution of Expected Grade?*, 18 EDUC. ECON. 317, 318 (2010) (briefly reviewing research regarding expected grades and course evaluations).

67. *Id.*; *see also* Paul Isely & Harinder Singh, *Do Higher Grades Lead to Favorable Student Evaluations?*, 36 J. ECON. EDUC. 29, 34 (2005) (noting a positive correlation between expected grades and course evaluations); Meghan Millea & Paul W. Grimes, *Grade Expectations and Student Evaluation of Teaching*, 36 C. STUDENT J. 582, 582–83 (2002) (reviewing the literature regarding course evaluations and grades). *But see* Remedios & Lieberman, *supra* note 51, at 111–12 (finding that "grade expectations did not emerge as a predictor [of course evaluations] in the best fitting models," but cautioning that it would "be premature to conclude that grade expectations do not play any role" in students' academic experience).

course evaluations.<sup>68</sup> Researchers have obtained mixed results regarding the salience of students' grades relative to their expected grades.<sup>69</sup> Moreover, even when students' grades relative to their expected grades is related to students' course evaluations, students do not necessarily give a course bad evaluations when they did not do as well as expected.<sup>70</sup>

Researchers have also investigated whether there is a relationship between the grades that students actually receive in a course and students' course evaluations, and some researchers have found a positive correlation between students' grades and their course evaluations.<sup>71</sup> Some researchers, however, have found that grades have only a "small" influence on course evaluations,<sup>72</sup> suggesting that grades may be a less salient factor in students' perceptions of their courses than educators might believe.<sup>73</sup>

In addition, to the extent that students receive interim grades during the term, these grades may not relate to students' course evaluations dur-

---

68. Remedios et al., *supra* note 50, at 363; Remedios & Lieberman, *supra* note 51, at 111.

69. Compare Remedios et al., *supra* note 50, at 363 ("The best predictor of course enjoyment [when assessed the following semester] was . . . how students' course grades compared to their original expectations [at the beginning of the course]."), and Nowell & Alston, *supra* note 49, at 141 ("[S]tudent evaluations of teaching are positively related to the difference between what students expect to get for a grade and what they actually receive for their grade."), with Remedios & Lieberman, *supra* note 51, at 111 (finding that the difference between expected and actual grade "proved to play no role" in students' course evaluations). Cf. Isely & Singh, *supra* note 67, at 37 ("[A]s expected grade increased relative to cumulative GPA, an instructor received a more favorable [course evaluation].").

70. See Remedios et al., *supra* note 50, at 366 (noting that students' grade "disappointment . . . did not prevent them from rating the course positively").

71. See Isely & Singh, *supra* note 67, at 29 ("[A]lthough most investigations have found a positive relationship between [student evaluations of teaching] and student grades, the empirical evidence is somewhat mixed."); Millea & Grimes, *supra* note 67, at 582–83 (noting that in general there is a positive correlation between actual grades received and course evaluations); Remedios et al., *supra* note 50, at 353–54 ("A substantial body of research has suggested that the grades students attain in a course correlate positively with their evaluations of the course."). But see Remedios et al., *supra* note 50, at 363–64 (finding that students' final course grade in and of itself "was not a significant predictor" of students' "course enjoyment," although there was a "significant positive correlation between final grade and course enjoyment").

72. Remedios & Lieberman, *supra* note 51, at 109; see also Remedios et al., *supra* note 50, at 365 ("Although we did find a significant effect of grades on course enjoyment, the effect was small in absolute terms, as the grades our students received at mid-semester accounted for only 1% of the variance in their enjoyment of the course at this time, and their final course grades accounted for only 14% of their post-course enjoyment.").

73. See Remedios & Lieberman, *supra* note 51, at 111 ("Students may be fairer, and more perceptive, than we sometimes realize."); see also Remedios et al., *supra* note 50, at 366 ("[W]hile it is important to recognize that grades can influence students' enjoyment of a course, it is also important to keep this relationship in context, recognizing that grades are only one of the determinants of students' evaluations.").



ing the term.<sup>74</sup> Researchers who found this to be the case surmised that students maintained optimism about their course grades, even in the face of evidence disconfirming their initial grade expectations, and so, in the middle of the semester, students “did not experience their failure to meet their expectations as true failure.”<sup>75</sup> This result suggests the resilience of both students and their optimistic grade expectations.<sup>76</sup>

### III. MY EMPIRICAL RESEARCH REGARDING LAW STUDENTS’ GRADE EXPECTATIONS, ATTITUDES ABOUT GRADING, AND PERCEPTIONS OF LAW SCHOOL

The previous Part reviewed some of the literature suggesting that grading may be responsible for law student distress.<sup>77</sup> It also reviewed some of the literature regarding students’ grade expectations, including empirical research regarding the relationship between students’ grades, grade expectations, and course evaluations.<sup>78</sup> Against this backdrop, the current Part presents my empirical research.

Empirical research regarding how students actually view grading is particularly important because there is so much literature noting the negative impact of law school grading on law students. The existing literature raises many questions about law students and grading. First, what are incoming law students’ expectations for their grades? Second, how does the reality of law students’ grades compare with their expectations? Third, is there any relationship between law students’ grade expectations relative to the reality of their grades and students’ perceptions of their law school experience? If law students, in fact, receive grades that are worse than they expected, will their perceptions of law school be more negative? Alternatively, do students’ actual law school grades—as opposed to whether those grades meet their expectations—color students’ perceptions of their law school experience? Conversely, as some of the research regarding students’ grades and course evaluations suggests, per-

---

74. Remedios et al., *supra* note 50, at 362–63. In addition, the extent to which students’ grades and grade expectations relate to their course evaluations might depend on when students are surveyed. *Id.* at 366.

75. *Id.* at 363.

76. *See supra* note 50. The research regarding students’ grades, grade expectations, and course evaluations tends to focus on students’ experiences in a particular course: the grades students expected to receive in that course, the grades students actually received in that course, and students’ evaluations of that course. *E.g.*, Remedios et al., *supra* note 50. Researchers have suggested the need for research regarding the relationship between students’ grades, grade expectations, and perceptions of students’ educational experience more broadly, beyond one particular course. *See id.* at 366 (“[I]t is interesting to speculate whether students’ initial expectations influence their reactions to their entire university experience, as well as to individual courses.”).

77. *See supra* Part II.A.

78. *See supra* Part II.B.

haps law students are more impervious to law school grading than we might think. The empirical research presented here begins to address these questions.

This research also sheds light on law students' perspectives regarding curved grading, which is the target of so much criticism and is blamed for causing distress among law students. Section A provides a brief overview of the methodology of the empirical research project. Section B presents the results. This information responds to the call for more empirical research regarding law school assessment and law students' perspectives on legal education.<sup>79</sup> This information also contributes to the research outside the legal academy regarding students' grade expectations and perceptions of their academic experience.<sup>80</sup>

#### A. Methodology

In August 2007, I administered a survey to incoming law students at a law school in a major metropolitan city on the east coast of the United States.<sup>81</sup> Each year since then, I have administered a similar survey to incoming law students at this school.<sup>82</sup> The survey is administered at the end of the first day of orientation, when the students are gathered together in an auditorium.<sup>83</sup> The students also have the opportunity to take a

---

79. Curcio, *Assessing Differently*, *supra* note 7, at 931; Sheldon & Krieger, *Does Legal Education*, *supra* note 45, at 283; Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 894-95; Zimmerman, *What Do Law Students Want?*, *supra* note 8; *see also* Glesner Fines, *supra* note 4, at 912 n.199 ("Here, as with any empirical questions regarding legal education, there is ample room for further research. Much of the structure and methods of legal education has never been systematically described or tested."); Iijima, *supra* note 19, at 526 ("Although . . . authors surmise that law schools contribute directly or indirectly to law students' and lawyers' dysfunction, they provide no empirical evidence demonstrating what specific factors in the law school environment are causing the dysfunction . . ."); WIGHTMAN, *supra* note 35, at 75 (noting the value of data "to replace suppositions and anecdotal reports"). Sheldon and Krieger have noted that although many features of legal education have been suggested as causes of law student distress, "there is little empirical research that directly or causally links such factors to the observed symptoms. And indeed, there has been very little theory-guided research at all, concerning these issues and problems." Sheldon & Krieger, *Does Legal Education*, *supra* note 45, at 262. In addition to the call for more empirical research, scholars have also asserted that legal educators should consider law students' perspectives. Zimmerman, *What Do Law Students Want?*, *supra* note 8; *see also* Morris, *supra* note 10, at 453 ("[W]hen law faculties approve changes to the curriculum, they fail to consider the psychological impact of those decisions on students."); Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 894 ("Our findings suggest that schools will benefit from . . . considering carefully the effect of their teaching methods and practices on students.").

80. *See supra* Part II.B; *see also* Remedios et al., *supra* note 50, at 354 ("[T]here is surprisingly little evidence concerning the confirmation of grade expectations.").

81. The law school where the surveys were administered opened in 2006. The first-year class in 2007-2008 was the law school's second entering class.

82. The survey has been revised from year to year, although much of the survey remains the same.

83. The beginning-of-the-year survey is also referred to as the "entrance" or "time one" survey.

survey at the end of the year.<sup>84</sup> The end-of-year survey is administered during the last week of classes.<sup>85</sup> All students present when the surveys are introduced are eligible to take the surveys.<sup>86</sup> Most students take both the entrance and exit surveys,<sup>87</sup> although there are some students who take only the entrance survey and some students who take only the exit survey.<sup>88</sup> The surveys are voluntary and anonymous. An anonymous identification number, however, allows students' entrance and exit surveys to be matched.<sup>89</sup>

---

84. The end-of-year survey was first administered in April 2008 and has been administered each year since then. The end-of-year survey is also referred to as the "exit" or "time two" survey. Because I cannot know whether a student has taken a survey, I am not present during the administration of the end-of-year survey. Although I introduce the beginning-of-the-year survey to the students, I leave the room while the students take the surveys in order to protect anonymity.

85. The exit survey at the end of the 2010–2011 academic year was administered on the Friday before the last week of classes. The data from this survey year, however, are not reported in this Article.

86. Starting with the August 2010 survey, students who were not new first-year law students (for example, students who were repeating their first year of law school) were not eligible to take the surveys. The data that are reported in this Article precede this change. For the first three survey years, however, there were only three students total who returned to the law school as beginning first-year students after having previously attended at least part of the first year of law school. Moreover, there were very few students in the first three survey years who indicated on the entrance survey that they had ever taken any courses in a law school. Only six students circled "yes" in response to the entrance survey item, "Have you ever taken any classes in a law school?" Half of these students indicated that they had taken a law school class or classes outside of the United States.

87. Previous researchers have noted the value of longitudinal research. *E.g.*, WIGHTMAN, *supra* note 35, at 2, 13.

88. In the first survey year, eighty-one students took both the entrance and exit surveys, fourteen students took only the entrance survey, and twenty-two students took only the exit survey. In the second survey year, eighty-seven students took both the entrance and exit surveys, seventeen students took only the entrance survey, and twenty-five students took only the exit survey. In the third survey year, ninety-three students took both the entrance and exit surveys, ten students took only the entrance survey, and thirty-nine students took only the exit survey. There are a small number of students who may have actually taken both surveys but whose surveys were not able to be matched because the exit surveys did not include the students' anonymous identification numbers. There were ten students who circled "yes" in response to the exit survey item asking whether they had taken the survey at the beginning of the year but whose exit surveys did not have a survey number written on them. In addition, there was one exit survey that had a survey number written on it, but there was no entrance survey with that survey number. In these cases, the students' exit surveys were coded and treated the same as the exit surveys of students who did not take an entrance survey.

89. I thank Jack Medendorp for his significant contribution to the development of this methodology. The assumption was made that an entrance survey and an exit survey with the same survey number were from the same respondent. *See Zimmerman, What Do Law Students Want?, supra* note 8. For more information about the survey methodology or the surveys themselves, readers are invited to consult Zimmerman, *What Do Law Students Want?, supra* note 8, or to contact me directly. The present Article is based on three years of survey data, while my previous article is based on two years of survey data. In addition, each article focuses on different information from the surveys. My previous article focuses on data regarding students' assessment preferences (regarding type and quantity of assessment), although some of the same data have been used in both articles.

The surveys include a number of items.<sup>90</sup> Most of the questions on each survey are Likert-type items where a statement is presented to the students and they are asked to circle a number from five to one to indicate how much they agree or disagree with the statement. The surveys instruct the students that five indicates “strongly agree,” one indicates “strongly disagree,” and three indicates “neither agree nor disagree.” The rest of the items on the surveys ask the students to circle a response from a choice of given responses or, for questions without given response options, to write in a response.

### B. Results

This section describes the survey respondents and reports the results from the survey items about students’ perspectives and expectations regarding their law school grades and law school grading practices.<sup>91</sup> For each survey item, the coded responses for the students who responded to that particular survey item are reported.<sup>92</sup>

---

90. The surveys from one year to the next are largely the same, although not identical.

The survey items that are the focus of this Article are part of a larger, ongoing survey project. I appreciate the assistance that Ann Renninger (and others) provided in connection with this research project. See Emily Zimmerman, *An Interdisciplinary Framework for Understanding and Cultivating Law Student Enthusiasm*, 58 DEPAUL L. REV. 851, 893 n.216 (2009) [hereinafter Zimmerman, *An Interdisciplinary Framework*].

91. This Article is based on data from the first three survey years: 2007–2008, 2008–2009, and 2009–2010. I continue to administer surveys to first-year law students.

92. A respondent’s coded response to a particular survey item was included in the analysis of that item, even if that respondent did not respond to or have a coded response for all survey items. This practice enables all coded responses to be included in the results and data analysis, rather than excluding results because a particular student did not respond to all survey items or because a particular response could not be coded. See Sheldon & Krieger, *Does Legal Education*, *supra* note 45, at 267 n.1 (“Not all time 2 analyses have the full *n* of 193, as there were scattered missing data for some variables.”); *id.* at 270 (“[W]e attempted to maximize power by using all available information in the hypothesis tests, resulting in somewhat varying *ns* at different times.”). Two respondents’ exit surveys were not included in the data analysis; otherwise, all coded responses were included in the data analysis. See Zimmerman, *What Do Law Students Want?*, *supra* note 8.

In general, for most of the survey items that are addressed in this Article, there were very few, if any, missing values (i.e., no coded response for a particular survey item for one or more than one survey, either because a respondent did not respond to that item or because a respondent’s response was not coded). The exceptions to this statement are the survey items regarding expected and reported law school grade point average, LSAT score, and undergraduate grade point average (particularly on the exit survey), for which there were more missing values. Each table in the Appendix includes information about the number of respondents with coded responses to the particular item or items addressed in that table. See *infra* Tables 1–16. Table 1 also includes the numbers of respondents overall with coded responses to each year’s entrance and exit surveys (not including the two excluded surveys mentioned at the end of the previous paragraph). See *infra* Table 1.

The coding process sought to promote accuracy and consistency. The coding process required the exercise of judgment, however, and reasonable minds could undoubtedly differ regarding some of the decisions that were made. Readers should feel free to contact me for more information about the coding process (including the decisional rules used for coding).

### 1. Biographical Information about Survey Respondents

The entrance surveys asked the respondents to report their undergraduate grade point average, LSAT score, age, and sex.<sup>93</sup> The exit surveys asked the respondents to report their undergraduate grade point average, age, and sex. Although the exit survey for the first survey year did not ask for respondents' LSAT score, the exit surveys for the second and third survey years did ask for respondents' LSAT score. Table 1<sup>94</sup> provides this information.<sup>95</sup>

For each survey year, all respondents who took the entrance survey were compared with all respondents who took the exit survey, on the basis of undergraduate grade point average, LSAT score,<sup>96</sup> age, and sex,<sup>97</sup> and no statistically significant differences were found.<sup>98</sup>

---

93. For age, respondents were asked to circle whether they were "25 and Under" or "26 and Over." For sex, respondents were asked to circle whether they were "Female" or "Male."

This research project used students' self-reported information. Although using self-reported data has certain drawbacks (because there may be discrepancies between a self-reported LSAT score, for example, and a student's actual LSAT score), it is not uncommon to rely on self-reported data in research. *See, e.g.,* Pipkin, *supra* note 47, at 1180 (relying on respondents' self-reported law school grade point average); Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 887 (same); WIGHTMAN, *supra* note 35, at 42 n.13 (same). In addition, there were strong correlations between students' responses to the LSAT items on the entrance and exit surveys and between students' responses to the undergraduate grade point average items on the entrance and exit surveys, suggesting that students' responses to these items were at least relatively consistent from the beginning to the end of the year. *See* Zimmerman, *What Do Law Students Want?*, *supra* note 8. The correlation between LSAT score on the entrance and exit surveys could be determined for only the second and third survey years because the exit survey for the first survey year did not ask for respondents' LSAT score.

94. All referenced tables are in the Appendix at the end of this Article.

95. In the first survey year (2007–2008), there were 120 incoming first-year law students at the law school where the survey was administered. The median undergraduate grade point average of this class was 3.4, and the median LSAT score was 158. This class was 46% female and 54% male, and the average age of the class was twenty-six. In the second survey year (2008–2009), there were 143 incoming first-year students at the law school. The median undergraduate grade point average of this class was 3.45, and the median LSAT score was 159. This class was 53% female and 47% male, and the average age of the class was twenty-five. In the third survey year (2009–2010), there were 156 entering first-year law students at the law school. The median undergraduate grade point average of this class was 3.42, and the median LSAT score was 160. This class was 44% female and 56% male, and the average age of the class was twenty-five. The information about the entering classes that is included in this paragraph is based on information provided on students' applications and the report prepared by the Law School Data Assembly Service (LSDAS). The law school publicly reports this data for each of its entering classes.

96. Because the exit survey for the first survey year did not ask about LSAT score, the entrance and exit survey respondents for the first survey year could not be compared on this basis.

97. A majority of students in each survey year took both the entrance and exit surveys, so there is overlap between the entrance survey respondents and the exit survey respondents in each survey year. *See supra* note 88. There were some students in each survey year, however, who took either the entrance survey or the exit survey but not both. *See supra* note 88.

When the entrance survey respondents were compared with the exit survey respondents on the basis of undergraduate grade point average and LSAT score, a statistical technique called an indepen-

In addition to comparing respondents within a single survey year, respondents in the different survey years were compared to each other. When all respondents who took the entrance survey in each survey year were compared on the basis of undergraduate grade point average, LSAT score, age, and sex, no statistically significant differences were found.<sup>99</sup> When all respondents who took the exit survey in each survey year were compared on the basis of undergraduate grade point average, LSAT score,<sup>100</sup> age, and sex, no statistically significant differences were found.

## 2. Responses to Individual Survey Items Regarding Grades and Grading

### *a. Importance of Getting Good Grades*

The entrance surveys asked students to indicate whether they agreed with the statement, “It is important to me to get good grades during my first year of law school.” Students’ responses to this item are presented in Table 2.<sup>101</sup> Students’ responses were quite consistent across all three survey years. In each survey year, almost all students indicated that they either agreed or strongly agreed with this statement,<sup>102</sup> with a large majority of students indicating that they strongly agreed with this state-

---

dent samples t-test was used. See FREDERICK J. GRAVETTER & LARRY B. WALLNAU, STATISTICS FOR THE BEHAVIORAL SCIENCES 308 (8th ed. 2009). When these respondents were compared on the basis of age or sex, a statistical technique called “chi-square” was used: specifically, a chi-square test of independence. *Id.* at 605, 617–22.

98. The level of statistical significance that was used for these comparisons, and the other statistical analyses reported in this Article, was .05. The statistical significance (p) indicates the likelihood that the results obtained were due to chance. JEREMY MILES & PHILIP BANYARD, UNDERSTANDING AND USING STATISTICS IN PSYCHOLOGY 87–88 (2007). Although this cut-off can vary, in general, a p-value of .05 indicates an acceptable level of statistical significance. *Id.* at 87. A p-value of .05 means that there is a 5% likelihood that the results obtained were due to chance. *Id.* For the analyses reported in this Article, if an analysis yielded a p-value of greater than .05, the result was considered to be not statistically significant.

99. A statistical technique called “analysis of variance” (ANOVA) was used to compare the undergraduate grade point averages and LSAT scores of the respondents in each survey year. See GRAVETTER & WALLNAU, *supra* note 97, at 394 (discussing analysis of variance). A chi-square test of independence was used to compare these respondents on the basis of age and sex. See *id.* at 605, 617–22. The level of statistical significance for the comparison based on age fell between .10 and .05 but did not reach the .05 level of statistical significance.

100. With respect to LSAT score, only the respondents who took the exit survey in years two and three were compared because the exit survey for year one did not ask for LSAT score. An independent samples t-test was used for this comparison. See *id.* at 308.

101. The responses in this Table (and the other tables, except where noted) are for all students with a coded response to the survey item. Although most students in each survey year took both an entrance and exit survey, there are some students in each survey year who took only the entrance survey or only the exit survey. See *supra* note 88.

102. In the first, second, and third survey years, respectively, 97.89%, 95.19%, and 99.02% of students either agreed or strongly agreed with this statement. Except where otherwise noted, the numbers in this Article were rounded to two decimal places.

ment.<sup>103</sup> Conversely, no students indicated that they strongly disagreed with this statement, and only one student in all three survey years indicated disagreement with this statement.<sup>104</sup>

The exit surveys asked students to indicate whether they agreed with the corresponding, but not identical, statement, “It is important to me to get good grades in law school.” Students’ responses to this item are presented in Table 3. In each survey year, a large majority of students indicated that they either agreed or strongly agreed with this statement.<sup>105</sup> The percentage of students who strongly agreed with this end-of-year statement, however, was much lower than the percentage of students who strongly agreed with the corresponding statement at the beginning of the year.<sup>106</sup> Also, at the end of the year, in each survey year, there were a small number of students who indicated that they either disagreed or strongly disagreed with the statement, “It is important to me to get good grades in law school.”<sup>107</sup>

#### *b. Curved Grading*

The entrance surveys asked students to indicate whether they agreed with the statement, “I know what it means to be graded ‘on a curve.’” Students’ responses to this item are presented in Table 4. In each survey year, a large majority of students either agreed or strongly agreed with this statement.<sup>108</sup> Moreover, in all three survey years, a majority of students indicated on the entrance surveys that they had been graded on a curve before.<sup>109</sup> Additionally, in each survey year, a majority of students

---

103. See *infra* Table 2.

104. See *infra* Table 2.

105. In the first, second, and third survey years, respectively, 84.47%, 79.46%, and 84.09% of students either agreed or strongly agreed with this statement. The percentage for the second survey year includes one coded response of 3.5.

106. Compare Table 2, with Table 3. Although the entrance and exit survey items were not identical, they both asked students about the importance of getting good grades. Future research could investigate students’ responses to identically worded items at both the beginning and end of the year.

107. See *infra* Table 3. A higher percentage of students also indicated that they neither agreed nor disagreed with the end-of-year statement than indicated that they neither agreed nor disagreed with the beginning-of-the-year statement.

108. In the first, second, and third survey years, respectively, 85.26%, 74.04%, and 78.64% of students either agreed or strongly agreed with this statement. In the third survey year only (2009–2010), students were also asked to indicate whether they agreed with this same statement, “I know what it means to be graded ‘on a curve,’” at the end of the year. A larger percentage of students agreed or strongly agreed with this statement at the end of the year than at the beginning of the year. At the end of the year, 90.84% of students indicated that they either agreed or strongly agreed with this statement.

109. The entrance surveys asked students, “Have you been graded on a curve before?” Students were asked to circle either “Yes” or “No” in response to this question. In the first, second, and

indicated on the entrance surveys that they expected to be graded on a curve in most of their first-year law school classes.<sup>110</sup>

In the third survey year only (2009–2010), the entrance survey asked students to indicate whether they agreed with the statement, “Law school courses should be graded on a curve.” Students’ responses to this item are presented in Table 5. Students’ responses to this item were relatively evenly split. The same percentage of students indicated agreement or strong agreement with this survey item as indicated that they neither agreed nor disagreed with this survey item.<sup>111</sup> A slightly lower percentage of students indicated that they either disagreed or strongly disagreed with this statement.<sup>112</sup>

In all three survey years, the exit surveys asked students to indicate whether they agreed with the statement, “Law school courses should be graded on a curve.” Students’ responses to this item are presented in Table 6. Across all three survey years, the trends in the responses were quite similar: the percentage of students who indicated that they either disagreed or strongly disagreed with this item was about the same as the percentage of students who indicated that they either agreed or strongly agreed with this item.<sup>113</sup> Moreover, the percentages of students who indicated that they disagreed or strongly disagreed, neither agreed nor disagreed, or agreed or strongly agreed were remarkably similar across the first two survey years (2007–2008 and 2008–2009).<sup>114</sup> In the third survey year (2009–2010), a smaller percentage of students indicated that they neither agreed nor disagreed with this item than in the previous two sur-

---

third survey years, respectively, 73.68%, 65.35%, and 61.76% of students responded “Yes” to this question.

110. The entrance surveys asked students, “Do you expect to be graded on a curve in most of your first-year law school classes?” Students were asked to circle either “Yes,” “No,” or “Don’t Know.” In the first, second, and third survey years, respectively, 64.89%, 64.08%, and 77.67% of students responded “Yes” to this question. In each survey year, most of the remaining students answered “Don’t Know” to this question. Very few students in each survey year answered “No” to this question.

111. Specifically, 34.65% of students indicated that they agreed or strongly agreed with this statement, and this same percentage of students also indicated that they neither agreed nor disagreed with this statement.

112. Specifically, 30.69% of students indicated that they disagreed or strongly disagreed with this statement.

113. In the first survey year, 34.95% of students indicated that they disagreed or strongly disagreed with this statement (including one coded response of 2.5), and 35.92% of students indicated that they agreed or strongly agreed with this statement. In the second survey year, 34.82% of students indicated that they disagreed or strongly disagreed with this statement, and 35.71% of students indicated that they agreed or strongly agreed with this statement. In the third survey year, 41.54% of students indicated that they disagreed or strongly disagreed with this statement, and 39.23% of students indicated that they agreed or strongly agreed with this statement.

114. See *infra* Table 6.



vey years.<sup>115</sup> As with the previous two survey years, however, the percentage of students who indicated either disagreement or strong disagreement was relatively close to the percentage of students who indicated either agreement or strong agreement in the third survey year.<sup>116</sup>

*c. Expectations and Reality Regarding Law School Grades*

The entrance surveys asked students about their expectations for their first-year grades. The exit surveys asked students about their actual law school grades.

The entrance surveys asked students how their first-year law school grades would compare to their college grades. Specifically, students were asked to indicate whether their first-year law school grades would be “better than,” “about the same as,” or “worse than” their grades in college. Students’ responses to this item are presented in Table 7. Students’ responses to this item were remarkably consistent across all three survey years. Most students responded that their first-year law school grades would either be better than their college grades or about the same as their college grades.<sup>117</sup> Just over 14% of students in each survey year responded that their first-year law school grades would be worse than their college grades.<sup>118</sup>

At the end of the year, the exit surveys asked students how their law school grades compared with their grades in college.<sup>119</sup> Students were asked to indicate whether their first-year law school grades were “better than,” “about the same as,” or “worse than” their grades in college. Students’ responses to this item are presented in Table 8. In each survey year, a majority of students responded that their first-year law school grades were worse than their grades in college.<sup>120</sup> Less than 17% of res-

---

115. See *infra* Table 6.

116. See *supra* note 113.

117. See *infra* Table 7. One student annotated the response to this item, indicating that the student’s first-year grades would “hopefully be” better than the student’s grades in college. This student’s response was coded as “better than.” See *infra* note 123 (discussing the coding of students’ responses to the survey item regarding expected first-year law school grade point average).

118. See *infra* Table 7.

119. Students took the exit survey during the last week of classes of their first year of law school. In the first, second, and third survey years, the students’ curriculum was organized on the quarter system. By the time the students took the exit survey, therefore, although the students had not received their final set of grades (for the spring quarter), the students had received two sets of grades (for the fall quarter and the winter quarter).

120. See *infra* Table 8. In responding to this item, one student circled “about the same as” and wrote “when comparing Percentile Ranking,” and circled “worse than” and wrote “Strictly comparing GPA.” This student’s response was coded as “worse than.”

Readers should feel free to contact me regarding additional coding decisions that were made with respect to this, or any other, survey item.

pondents in each survey year indicated that their first-year law school grades were better than their grades in college.<sup>121</sup>

At the beginning of the year, the entrance surveys also asked students to state their expected first-year law school grade point average.<sup>122</sup> Table 9 summarizes the responses to this question.<sup>123</sup> Students' responses

---

121. See *infra* Table 8. The results were similar for only those students with coded responses to both the entrance and exit survey items regarding their law school grades versus their college grades. For the first survey year (N = 80), 45.00% of these students said that their law school grades would be better than their grades in college, and 16.25% said that their law school grades would be worse than their grades in college. At the end of the year, 16.25% of these students said that their law school grades were better than their grades in college, and 52.50% of these students said that their grades were worse than their grades in college. For those students who responded to both items in the second survey year (N = 87), 42.53% of these students expected their law school grades to be better than their grades in college, and 12.64% of these students expected their law school grades to be worse than their grades in college. At the end of the year, 18.39% of these students reported that their law school grades were better than their grades in college, and 54.02% of these students reported that their law school grades were worse than their grades in college. In the third survey year, for those students who responded to both items on the entrance and exit surveys (N = 91), 38.46% of students said that their law school grades would be better than their college grades, and 15.38% of students said that their law school grades would be worse than their college grades. At the end of the year, 10.99% of these students reported that their law school grades were better than their grades in college, and 65.93% of these students reported that their law school grades were worse than their grades in college.

In addition to asking students to compare their first-year law school grades—both as expected and as actually received—with their college grades, the surveys also asked students to compare how much time they would spend working on coursework during their first year of law school with the amount of time they spent on coursework in college. At the beginning of the year, students were asked whether they would spend “more,” “about the same amount of,” or “less” time working on coursework during their first year of law school than they had in college. At the end of the year, students were asked whether they had spent “more,” “about the same amount of,” or “less” time working on coursework during their first year of law school than they had in college.

At both the beginning and end of the year, a large majority of students reported that they would spend or had spent more time working on coursework during their first year of law school than they had in college. In each survey year, at the beginning of the year, more than 90% of students (92.63%, 96.12%, 96.12%) responded that they would spend more time working on coursework during their first year of law school than they had spent in college. Additionally, in each survey year, at the beginning of the year, no students responded that they would spend less time working on coursework during their first year of law school than they had in college.

Similarly, in all survey years, at the end of the year, a large majority of students (88.35%, 91.89%, 88.55%) reported that they had spent more time working on coursework during their first year of law school than they had in college. At the end of the year, however, a very small number of students (1.94%, 3.60%, 0.76%) reported that they had spent less time working on coursework during their first year of law school than they had in college.

122. Specifically, students were asked, “What do you expect your first-year law school GPA to be?”

123. Students did not necessarily write down a single number alone in response to the entrance survey item regarding expected law school grade point average and the exit survey item regarding current law school grade point average. Decisional rules were developed to guide the coding of these responses. For example, if a student gave a range of numbers, for example “3.5–4.0,” the student’s response was coded as the lower of the two numbers. Four students with coded responses to the expected grade point average question wrote “hopefully” (or something similar) with their responses to this question. These students’ responses were coded as the number provided, applying the same

to this question were quite consistent across all three survey years.<sup>124</sup> The average expected grade point average in the first survey year was 3.38; the average expected grade point average in the second survey year was 3.35; and the average expected grade point average in the third survey year was 3.39.<sup>125</sup> In all three survey years, the most frequently given expected first-year grade point average was 3.50, and the second most frequently given expected grade point average was 3.00.<sup>126</sup> In fact, these were by far the most popular responses given to this question.<sup>127</sup>

At the end of the year, the exit surveys asked students to report their current first-year law school grade point average.<sup>128</sup> Table 10 summarizes the responses to this question.<sup>129</sup> In all three survey years, the average reported grade point average was slightly above 3.00.<sup>130</sup> The average reported grade point average in the first survey year was 3.06; the average reported grade point average in the second survey year was 3.01; and the

---

decisional rules that were applied to all responses to this question (for example, if a student had responded “hopefully 3.5,” this would have been coded as “3.5”). In addition, if a student’s response was accompanied by a question mark, the student’s response would be coded as the number provided. There were also certain responses that were not coded. For example, if a student indicated that he or she expected a grade point average of “above 3.5,” that response would not be coded; however, if a student indicated that he or she expected a grade point average of “3.5 or above,” that response would be coded as “3.5.” In addition, if a student responded to the question but did not provide a number (for example, saying “good”), that response would not be coded.

124. In fact, when an analysis of variance (ANOVA) statistical test was run to compare the expected grade point averages for the respondents in each survey year, a statistically significant result was not found, indicating that any difference in mean responses was not statistically significant. See GRAVETTER & WALLNAU, *supra* note 97, at 394 (discussing analysis of variance).

125. See *infra* Table 9.

126. The grade point averages presented here and in the tables are stated to two decimal places (e.g., “3.50”). This does not mean that all students stated their expected or reported grade point average to two decimal places. Many students, in fact, stated their expected or reported grade point average to one decimal place (e.g., “3.5”). To the extent that a student gave a response to more than two decimal places, that response would have been rounded to two decimal places.

127. In the first, second, and third survey years, respectively, 35.29%, 26.09%, and 30.77% of students expected their first-year grade point average to be 3.50, while 21.18%, 23.91%, and 24.18% of students expected their first-year grade point average to be 3.00. In the first and second survey years, 3.20 was the next most popular response; in the third survey year, 3.20 and 3.70 were tied for third. In each year, these responses were given by less than 9% of students (8.24%, 7.61%, 7.69%).

128. Specifically, students were asked, “So far, what is your first-year law school GPA (grade point average)?” As previously noted, because the students’ curriculum was organized on the quarter system, when the students took the end-of-year survey, the students had already received grades for two terms of law school classes (fall quarter and winter quarter).

129. For a discussion of the coding of this survey item, see *supra* note 123.

130. See *infra* Table 10. The law school where the surveys were administered has a mandatory mean for each graded first-year course. For all graded courses except the first-year legal writing courses, there is also a mandatory grade distribution. In the first, second, and third survey years, the mean for each first-year course had to be between 2.8 and 3.0. Fifteen percent to 20% of the students in each course had to receive an A or an A–, and 10%–15% of students had to receive a C or below. The school also has mandatory grade means and distributions for its upper-level courses. The means and distributions are mandatory, although exceptions can be made with administrative approval.

average reported grade point average in the third survey year was 3.05. In the first survey year, the most commonly reported grade point average was 3.20 (ten respondents reported having this grade point average), and the second most commonly reported grade point average was 3.00 (reported by seven respondents). The most commonly reported grade point averages in the second survey year were 2.90 and 3.20 (seven respondents each); the next most commonly reported grade point average was 3.00 (six respondents). The most commonly reported grade point average in the third survey year was 3.00 (twelve respondents); the next most commonly reported grade point average was 2.90 (eight respondents).

*d. Attitudes Regarding Law School Grades*

In addition to asking students to report their current first-year law school grade point average, the exit surveys also asked students for their attitudes regarding their law school grades.

The exit surveys asked students to indicate whether they agreed with the statement, "I have gotten good grades during my first year of law school." Students' responses to this item are presented in Table 11. In all three survey years, the two most popular responses to this item were three (indicating "neither agree nor disagree") and four (indicating agreement).<sup>131</sup> Around one-third of the respondents in each survey year answered four to this item. Conversely, in each survey year, the two least popular responses to this item were one and two, the responses indicating disagreement (not including one respondent in the first survey year whose response to this item was coded as 3.5).

The exit surveys also asked students whether they agreed with the statement, "I have been satisfied with my grades during my first year of law school." Students' responses to this item are presented in Table 12. In all three survey years, the two most popular responses to this item were three and four. In the first and second survey years, the two least popular responses to this item were one (indicating strong disagreement) and five (indicating strong agreement). In the third survey year, the two least popular responses to this item were two and five (with one close behind—only one more respondent answered one than answered two).

The exit surveys asked students to indicate whether they agreed with the statement, "In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work." Students' responses to this item are presented in Table 13. In all three survey years, the most popular response to this item was four

---

131. The surveys instructed the students that five indicated "strongly agree," one indicated "strongly disagree," and three indicated "neither agree nor disagree."

(indicating agreement).<sup>132</sup> Also, in all three survey years, the least popular responses to this item were one (indicating strong disagreement) and five (indicating strong agreement).<sup>133</sup>

### 3. Relationships Between Survey Items

In addition to examining responses to individual survey items, possible relationships between survey items were also investigated. Specifically, correlations were run between particular survey items to investigate whether relationships existed between those items.<sup>134</sup>

In each survey year, a statistically significant correlation was *not* found between expected law school grade point average and reported law school grade point average.<sup>135</sup>

Correlations were also run between expected grade point average and both LSAT score and undergraduate grade point average. For the first two survey years, there was a statistically significant positive correlation between expected grade point average and LSAT score, as reported on the entrance survey ( $r = .264$ ,  $p = .021$ ,  $N = 77$ ;  $r = .311$ ,  $p = .004$ ,  $N = 86$ ).<sup>136</sup> For the third survey year, there was a positive rela-

---

132. The response given "most frequently" by respondents is called the "mode." BRYAN RAUDENBUSH, *STATISTICS FOR THE BEHAVIORAL SCIENCES: A SHORT COURSE AND STUDENT MANUAL* 37 (2004).

133. The exit surveys also asked students to indicate whether they agreed with the statement, "In general, I received grades in college that I felt reflected my judgment as to the quality of my work." Students' responses to this item are presented in Table 14. In each survey year, the most popular responses to this item were four and five, the responses indicating agreement. In the first survey year, an equal number of respondents answered four and five. In the second and third survey years, the most popular response to this item was five, followed by four. Also, in each survey year, less than 10% of students responded one to this item, and less than 10% of students responded two to this item.

The entrance surveys also included this same item. In each survey year, for the respondents who responded to this item on the entrance survey, the two most popular responses were four and five, indicating agreement. In the first survey year, 75.79% of respondents answered either four or five to this item. In the second survey year, 73.08% of respondents answered either four or five to this item. In the third survey year, 75.73% of respondents answered either four or five to this item. Conversely, in each survey year, the two least popular responses were one and two, indicating disagreement. In the first survey year, 8.42% of respondents answered either one or two to this item. In the second survey year, 8.65% of respondents answered either one or two to this item. In the third survey year, 3.88% of respondents answered either one or two to this item.

134. See RAUDENBUSH, *supra* note 132, at 67 ("Correlation analysis allows us to determine whether or not two variables are related, and, if they are related, to determine the nature of that relationship.").

135. The entrance surveys asked students to state their expected first-year law school grade point average, and the exit surveys asked students to report their current first-year law school grade point average.

136. The first set of numbers in parentheses is for the first survey year; the second set of numbers in parentheses is for the second survey year. The numbers in parentheses are the Pearson correlation coefficient ( $r$ ), the statistical significance of the correlation ( $p$ ), and the number of respondents

---

with a coded response to the item (N). The correlation coefficient and level of statistical significance have been rounded to three decimal places.

The correlation coefficient (r) indicates the extent and direction of the relationship between responses to the two items. RUSSELL T. HURLBURT, *COMPREHENDING BEHAVIORAL STATISTICS* 389 (4th ed. 2006). If a correlation coefficient is positive, that means there is a positive relationship between the two items (the higher a respondent's response to one item, the higher that respondent's response to the other item). *Id.* at 393. If a correlation coefficient is negative, that means that there is a negative relationship between the two items (the higher a respondent's response to one item, the lower that respondent's response to the other item). *Id.* A correlation coefficient will range from -1 to 1. *Id.* at 391. The closer the correlation coefficient is to -1 or 1, the stronger the correlation. *Id.* at 391-92. A strong correlation means that there is a strong relationship between two items. *See id.* at 389. Of course, this does not mean that a respondent's response to one item *causes* that respondent's response to the second item. *Id.* at 400. The closer the correlation coefficient is to zero, the weaker the relationship between two items. *See id.* at 389. Although there are no hard-and-fast rules for what size correlation coefficient constitutes a weak, moderate, or strong correlation, a general rule of thumb is that a correlation coefficient of .10 constitutes a weak correlation, .30 constitutes a moderate correlation, and .50 constitutes a strong correlation. MILES & BANYARD, *supra* note 98, at 210.

The Pearson correlation coefficient can also be used to calculate the coefficient of determination. HURLBURT, *supra*, at 438. The coefficient of determination indicates "the proportion of variability in one variable that can be determined from the relationship with the other variable." GRAVETTER & WALLNAU, *supra* note 97, at 534. The coefficient of determination is calculated by squaring the correlation coefficient. *Id.*

The statistical significance (p) indicates the likelihood that the results obtained were due to chance. *Id.* at 87-88. Although this cut-off can vary, in general, a p-value of .05 indicates an acceptable level of statistical significance. *Id.* at 87. A p-value of .05 means that there is a 5% likelihood that the results obtained were due to chance. *Id.*

When many correlations (or other analyses) are run on data, there is a chance that some of the results will appear statistically significant even though they are not (i.e., the results will actually be due to chance, even though the p-value indicates a small likelihood that the results obtained were due to chance). There are certain statistical techniques that can be used under these circumstances: for example, requiring a lower p-value to accept a result as statistically significant. Thomas V. Perneger, *What's Wrong with Bonferroni Adjustments*, 316 *BMJ* 1236, 1236 (1998); *see also* MILES & BANYARD, *supra* note 98, at 263; Siddique et al., *supra* note 35, at 672. These options, however, are not without their critics. *See* Perneger, *supra*, at 1236. For this research project, a p-value of .05 was used as an indicator of statistical significance. To the extent that statistically significant correlations were found in more than one survey year, this suggests that the correlations were not due to chance. In addition, some of the p-values found were much less than .05, also indicating more of a likelihood that the results obtained were not due to chance. Nonetheless, it is worth bearing in mind that there is always a chance that results with a p-value indicating statistical significance could, in fact, be due to chance.

Correlations were run with some of the Likert-type data in this research project and have been used to analyze Likert-type data in other research projects. Not all researchers agree, however, regarding the statistical methods that should be used to analyze Likert-type data or whether there are particular statistical methods that are necessarily more or less appropriate to use with Likert-type data. *See, e.g.*, Dennis L. Clason & Thomas J. Dormody, *Analyzing Data Measured by Individual Likert-Type Items*, 35 *J. AGRIC. EDUC.* 31 (1994); Michael J. Nanna & Shlomo S. Sawilowsky, *Analysis of Likert Scale Data in Disability and Medical Rehabilitation Research*, 3 *PSYCHOL. METHODS* 55 (1998); Donald V. Sisson & H. Robert Stocker, *Research Corner: Analyzing and Interpreting Likert-Type Survey Data*, 31 *DELTA PI EPSILON J.* 81 (1989). In their article, Clason and Dormody noted the variety of ways in which the articles they reviewed had analyzed Likert-type data and concluded that "[i]t is not a question of right and wrong ways to analyze data from Likert-type items. The question is more directed to answering the research questions meaningfully." Clason & Dormody, *supra*, at 31, 34.

tionship between expected grade point average and LSAT score, but it did not reach statistical significance at the .05 level ( $r = .179$ ,  $p = .097$ ,  $N = 87$ ). In all three survey years, a statistically significant correlation was not found between expected law school grade point average and undergraduate grade point average, as reported on the entrance survey.<sup>137</sup>

Correlations were also run between law school grade point average and both LSAT score and undergraduate grade point average. In the first two survey years, there was a statistically significant positive correlation between LSAT score, as reported on the entrance survey, and law school grade point average ( $r = .309$ ,  $p = .008$ ,  $N = 72$ ;  $r = .330$ ,  $p = .004$ ,  $N = 75$ ).<sup>138</sup> In the third survey year, a statistically significant correlation was not found between LSAT score and law school grade point average. In all three survey years, there was a statistically significant positive correlation between undergraduate grade point average, as reported on the entrance survey, and law school grade point average ( $r = .308$ ,  $p = .006$ ,  $N = 77$ ;  $r = .233$ ,  $p = .041$ ,  $N = 77$ ;  $r = .399$ ,  $p < .001$ ,  $N = 84$ ).<sup>139</sup>

---

137. In both the second and third survey years, there was a statistically significant negative correlation between LSAT score and undergraduate grade point average, as reported on the entrance surveys ( $r = -.216$ ,  $p = .036$ ,  $N = 94$ ;  $r = -.227$ ,  $p = .028$ ,  $N = 94$ ). In the first survey year, however, a statistically significant correlation was not found between LSAT score and undergraduate grade point average, as reported on the entrance surveys.

In both the second and third survey years, there was also a statistically significant negative correlation between LSAT score and undergraduate grade point average, as reported on the exit survey ( $r = -.211$ ,  $p = .043$ ,  $N = 92$ ;  $r = -.299$ ,  $p = .002$ ,  $N = 107$ ). The exit survey for the first survey year did not ask for LSAT score, so this correlation could not be run for the first survey year.

138. Because students filled out the entrance survey closer in time to when they took the LSAT and graduated from college, the LSAT and undergraduate grade point averages reported on the entrance surveys might be more reliable than those reported on the exit surveys. There were, however, strong positive correlations between LSAT score as reported on the entrance and exit surveys for the second and third survey years (the exit survey for the first survey year did not ask for LSAT score), and between undergraduate grade point average as reported on the entrance and exit surveys for all three survey years. These correlations suggest that students who took both entrance and exit surveys reported their LSAT scores and undergraduate grade point averages relatively consistently on both surveys. See Zimmerman, *What Do Law Students Want?*, *supra* note 8.

For the second and third survey years, correlations were also run between students' law school grade point average and their LSAT score, as reported on the exit survey. Because the exit survey for the first survey year did not ask for students' LSAT score, this correlation could not be run for the first survey year. For both the second and third survey years, there was a statistically significant positive correlation between LSAT score, as reported on the exit survey, and law school grade point average ( $r = .428$ ,  $p < .001$ ,  $N = 90$ ;  $r = .229$ ,  $p = .019$ ,  $N = 105$ ).

139. Correlations were also run between undergraduate grade point average, as reported on the exit survey, and law school grade point average. For the first and third survey years, there was a statistically significant positive correlation between undergraduate grade point average, as reported on the exit survey, and law school grade point average ( $r = .285$ ,  $p = .007$ ,  $N = 90$ ;  $r = .287$ ,  $p = .002$ ,  $N = 115$ ). For the second survey year, the relationship between undergraduate grade point average, as reported on the exit survey, and law school grade point average was positive; however, this relationship did not reach statistical significance at the .05 level ( $r = .184$ ,  $p = .076$ ,  $N = 94$ ).

There were statistically significant positive correlations between law school grade point average and students having favorable perceptions of their law school grades. Specifically, in all three survey years, there was a statistically significant positive correlation between law school grade point average and students thinking that they had gotten good grades in law school ( $r = .732, p < .001, N = 98$ ;  $r = .774, p < .001, N = 96$ ;  $r = .632, p < .001, N = 118$ ). There was also a statistically significant positive correlation between law school grade point average and students being satisfied with their law school grades ( $r = .604, p < .001, N = 98$ ;  $r = .747, p < .001, N = 96$ ;  $r = .524, p < .001, N = 118$ ). Similarly, there was a statistically significant positive correlation between law school grade point average and students thinking that their law school grades accurately reflected their own judgment regarding the quality of their work ( $r = .432, p < .001, N = 98$ ;  $r = .623, p < .001, N = 96$ ;  $r = .412, p < .001, N = 116$ ).<sup>140</sup>

In the first and second survey years, there was a statistically significant positive correlation between law school grade point average and students thinking that law school courses should be graded on a curve ( $r = .215, p = .033, N = 98$ ;  $r = .245, p = .016, N = 96$ ). In the third survey year, these variables were also positively related, although the relationship between them did not reach statistical significance at the .05 level ( $r = .165, p = .077, N = 116$ ).<sup>141</sup>

#### 4. Comparing Responses to Survey Items at Beginning and End of Year

For those students who took both entrance and exit surveys in a given survey year, it was possible to compare their responses to corresponding questions on the entrance and exit surveys. In order to see whether these students' responses to certain corresponding questions at the beginning and end of their first year of law school were significantly

---

140. In all three survey years, there were statistically significant positive correlations between thinking that one had received good grades in law school, being satisfied with one's law school grades, and thinking that one's first year law school grades accurately reflected one's own judgment regarding the quality of one's work.

141. In all three survey years, there were also statistically significant positive correlations between each of the items regarding students' attitudes about their own law school grades (thinking that one had received good grades in law school, being satisfied with one's law school grades, and thinking that one's first-year law school grades accurately reflected one's own judgment regarding the quality of one's work) and agreeing that law school courses should be graded on a curve. The strongest of these three correlations was between thinking that one's first-year law school grades accurately reflected one's own judgment regarding the quality of one's work and agreeing that law school courses should be graded on a curve ( $r = .461, p < .001, N = 103$ ;  $r = .416, p < .001, N = 112$ ;  $r = .389, p < .001, N = 129$ ).



different, paired samples t-tests were conducted for these question pairs.<sup>142</sup>

In each survey year, the entrance survey asked students to indicate their level of agreement with the statement, “It is important to me to get good grades during my first year of law school.” In each survey year, the exit survey asked students to indicate their level of agreement with the corresponding statement, “It is important to me to get good grades in law school.” In each survey year, as discussed in more detail below, there was a statistically significant difference between the entrance and exit survey responses of students who responded to both items. On average, students’ responses to the exit survey item were lower than their responses to the entrance survey item to a statistically significant degree.

In the first survey year, eighty-one students responded to both of these survey items. For these students, the mean response to the entrance survey item was 4.86, and the mean response to the exit survey item was 4.33. The average difference between respondents’ exit and entrance survey responses was  $-0.53$  (the negative sign indicates that, on average, respondents’ exit survey responses were lower than their entrance survey responses). A paired samples t-test indicated that the difference between these students’ responses to the entrance and exit survey items, on average, was statistically significant ( $p < .001$ ).<sup>143</sup>

In the second survey year, eighty-seven students responded to both of these survey items. For these students, the mean response to the entrance survey item was 4.78, and the mean response to the exit survey item was 4.25. The average difference between respondents’ exit and entrance survey responses was  $-0.53$ . A paired samples t-test indicated that the difference between these students’ responses to the entrance and exit survey items, on average, was statistically significant ( $p < .001$ ).

In the third survey year, ninety-three students responded to both of the survey items. For these students, the mean response to the entrance

---

142. When respondents answer identical or comparable questions at two different times (time one and time two), “paired samples” t-tests enable researchers to discover whether, on average, the difference between the respondents’ time one and time two answers is statistically significant. GRAVETTER & WALLNAU, *supra* note 97, at 340–43; PAUL R. KINNEAR & COLIN D. GRAY, IBM SPSS STATISTICS 18 MADE SIMPLE 184 (2011). For this type of t-test, for each respondent who answers the corresponding questions at time one and time two, the difference between the respondent’s answers to the corresponding questions at time one and time two is calculated. GRAVETTER & WALLNAU, *supra* note 97, at 342. The average difference for all of these respondents is then used in a formula with other values to investigate the likelihood that the difference is due to chance (or, put another way, to investigate whether the difference is statistically significant). *Id.* at 346–47, 350.

143. The paired samples t-test investigates whether the average difference between each respondent’s entrance and exit survey response is statistically significant; the paired samples t-test does not investigate whether the difference between the entrance and exit survey means for all respondents is statistically significant. *See* GRAVETTER & WALLNAU, *supra* note 97, at 353–54.

survey item was 4.87, and the mean response to the exit survey item was 4.31. The average difference between respondents' exit and entrance survey responses was  $-0.56$ . A paired samples t-test indicated that the difference between these students' responses to the two survey items, on average, was statistically significant ( $p < .001$ ).<sup>144</sup>

Additionally, in the third survey year, both the entrance and exit surveys asked students to indicate whether they agreed with the statement, "Law school courses should be graded on a curve."<sup>145</sup> For the eighty-nine students with coded responses to this item on both the entrance and exit surveys, a statistically significant difference between their responses was not found.<sup>146</sup>

##### 5. Comparisons Based on Expected Versus Reported Law School Grade Point Average

The data were analyzed to investigate whether there was any relationship between students' reported law school grades relative to their expected law school grades and students' attitudes regarding their law school experience. In order to investigate this question, the students who took both the entrance and exit surveys were divided into two groups: students whose reported law school grade point average was lower than their expected grade point average, and students whose reported law school grade point average was better than or the same as their expected grade point average.<sup>147</sup> To determine which students fell into which group, each student's expected law school grade point average (as indicated on the entrance survey) was subtracted from the student's current

---

144. The entrance and exit survey items about the importance of getting good grades were not identical. Because both items asked about the importance of getting good grades in law school, however, a paired samples t-test was determined to be appropriate to compare students' responses to these items. See Appleton-Knapp & Krentler, *supra* note 64, at 257–58 (using paired samples t-tests to compare students' responses to related, but not identical, items).

145. In the first and second survey years, the exit survey included this item, but the entrance survey did not.

146. The mean response to the entrance survey item was 3.12, and the mean response to the exit survey item was 2.83. The average difference between respondents' exit and entrance survey responses was  $-0.29$ .

There was a statistically significant positive correlation between students' responses to these items ( $r = .346$ ,  $p = .001$ ,  $N = 89$ ).

Paired samples t-tests were also conducted for students' responses to the item, "In general, I received grades in college that I felt reflected my judgment as to the quality of my work," which was included on both the entrance and exit surveys in each survey year. In each survey year, a statistically significant difference was not found between students' responses to these items on the entrance and exit surveys.

147. In order to be included in one of these groups, a student had to have taken both the entrance and exit surveys and have had a coded response for both the expected grade point average item on the entrance survey and the current grade point average item on the exit survey.

law school grade point average (as indicated on the exit survey).<sup>148</sup> This number was referred to as a student's "grade gap."<sup>149</sup> Students with a negative grade gap were students whose self-reported grade point average was less than they had expected when they took the entrance survey, and students with a positive grade gap were students whose self-reported grade point average was the same as or better than they had expected when they took the entrance survey.<sup>150</sup> In addition, students with a grade

---

148. The students took the exit survey during the last week of classes. As a result, at the time the students took the exit survey, they did not yet know their final law school grade point average. Because their curriculum was organized on the quarter system, rather than the semester system, however, by the time they took the exit survey, the students had already received two sets of grades—one for the fall quarter and one for the winter quarter.

149. Michael Keesler, one of my research assistants, first used the term "grade gap" to refer to the difference between students' reported and expected law school grade point averages.

150. The average grade gap for all students for whom a grade gap could be calculated was  $-0.284$ . The lowest grade gap was  $-1.77$ , and the highest grade gap was  $.70$ . For all students with a grade gap (whether positive or negative), their average expected law school grade point average was  $3.37$ . Their most frequently expected law school grade point average was  $3.50$ . Their average reported law school grade point average was  $3.08$ . Their most frequently reported law school grade point average was  $3.20$ . Their median LSAT score (based on their entrance survey responses) was  $160$ . Their median undergraduate grade point average (based on their entrance survey responses) was  $3.50$ . The composition of the grade gap group was  $48.39\%$  women and  $51.61\%$  men. Based on their entrance survey responses,  $72.81\%$  of the students in the grade gap group were twenty-five and under, and  $27.19\%$  of the students were twenty-six and over. Based on their exit survey responses, there was a higher percentage of respondents who were twenty-six and over at the end of the year:  $67.28\%$  of respondents in the grade gap group were twenty-five and under, and  $32.72\%$  of respondents were twenty-six and over. This difference is presumably because some of the respondents had a birthday between the beginning and end of the year, going from twenty-five to twenty-six years old.

A statistically significant difference was not found between the mean expected grade point average of male and female students in the grade gap group, although the difference approached statistical significance ( $p = .062$ ). The mean expected grade point average of the male students in the grade gap group was  $3.41$ , and the mean expected grade point average of the female students in the grade gap group was  $3.32$ . A statistically significant difference was also not found between the mean reported law school grade point average of male and female students in the grade gap group. The mean reported law school grade point average of the male students in the grade gap group was  $3.06$ , and the mean reported law school grade point average of the female students in the grade gap group was  $3.11$ .

A statistically significant difference was also not found between the mean expected grade point average of students in the grade gap group who were twenty-five and under, and twenty-six and over. The mean expected grade point average for students who were twenty-five and under was  $3.37$ , and the mean expected grade point average for students who were twenty-six and over was  $3.36$ . In addition, a statistically significant difference was not found between the mean reported law school grade point average of students in the two age groups. The mean reported law school grade point average of students who were twenty-five and under was  $3.10$ , and the mean reported law school grade point average of students who were twenty-six and over was  $3.05$ .

Consistent with the fact that there was a statistically significant positive correlation between grade gap and reported law school grade point average, *see infra* note 159, there was a statistically significant difference between the average reported grade point average of students in the positive and negative grade gap categories ( $p < .001$ ). The average reported grade point average of students in the positive grade gap category was  $3.31$ . The average reported grade point average of students in the

gap above  $-.10$  were treated as having a positive grade gap.<sup>151</sup> The average grade gap for students in the positive grade gap group was  $.187$ , and the average grade gap for students in the negative grade gap group was  $-.540$ .<sup>152</sup>

To investigate whether there was any relationship between students doing better or worse than they expected and students' attitudes regarding their law school experience, the mean responses of students in the positive and negative grade gap groups to certain survey items were compared. For these comparisons, items from the exit surveys were identified that seemed particularly relevant to students' attitudes regarding their law school experience.<sup>153</sup> Although there were other items on the

---

negative grade gap category was  $2.96$ . It is possible that some of the distinctions between the positive and negative grade gap groups could be artifacts of the differences between these students' law school grade point averages. As a result, comparisons were also made between these students on the basis of their reported law school grade point averages. See *infra* Part III.B.6.

In addition, there was a statistically significant difference between the expected grade point averages of students in the positive and negative grade gap categories ( $p < .001$ ). The average expected grade point average of students in the positive grade gap category was  $3.12$ , while the average expected grade point average of students in the negative grade gap category was  $3.50$ .

151. The decision was made to treat students with a grade gap of above  $-.10$  as having a positive grade gap for a couple of reasons. First, when students indicated their expected grade point average on the entrance survey, most students stated their expected grade point average to a single decimal place (e.g., "3.5"); relatively few students stated their expected grade point average to more than one decimal place. When students reported their current law school grade point average on the exit survey, however, many students reported their law school grade point average to two decimal places. It is possible that certain grade gaps could have been affected by this difference. Second, to the extent that students with a negative grade gap were thought to be students whose actual grades did not live up to their expectations and who were possibly more likely to be disappointed with their grades, it was thought that students with a grade point average that was less than one-tenth of a point away from their expected grade point average might not appropriately fit into this category (or at least might be less apt to fit into this category).

152. Overall, there were 218 students with a grade gap. Of these students, seventy-seven were in the positive grade gap category, and 141 were in the negative grade gap category. There were seventy-two students from the first survey year with a grade gap (twenty-three positive, forty-nine negative); sixty-nine students from the second survey year with a grade gap (thirty positive, thirty-nine negative); and seventy-seven students from the third survey year with a grade gap (twenty-four positive, fifty-three negative).

153. The survey items that were selected were Likert-type items from the exit surveys. For each of these items, a statement was given, and the students were instructed to circle a number from five to one to indicate their level of agreement or disagreement with the statement. The students were instructed that five indicated "strongly agree," one indicated "strongly disagree," and three indicated "neither agree nor disagree." Most of the items were included on the exit surveys in all three years, although a few of the items were included on only the exit surveys of the second and third survey years. The items selected were as follows:

The courses that I have taken in my first year of law school have helped prepare me to be a lawyer. (All years).

I have enjoyed my first year of law school. (All years).

My first year of law school has been interesting. (All years).

I enjoy studying law in law school. (Years 2 and 3).

I am looking forward to continuing to study law in law school. (Years 2 and 3).

exit surveys that related to students' perspectives regarding their law school experience, the selected items seemed most directly relevant to students' satisfaction with and enjoyment of their law school experience. In addition, other items were selected because they asked for students' perspectives regarding law school grading and students' own law school grades. One additional item was selected because it related to students' interest in law practice. For these items, the responses of the positive grade gap students were compared to the responses of the negative grade gap students to see whether there were any statistically significant differences between the responses of the two groups.<sup>154</sup> For the purposes of these analyses, the students in all three survey years were combined.<sup>155</sup>

The comparisons between the positive and negative grade gap groups are presented in Table 15.<sup>156</sup> For all of the survey items, the mean

Law school courses should be graded on a curve. (All years).

I am looking forward to returning for my second year of law school. (Years 2 and 3).

In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work. (All years).

I have been satisfied with my grades during my first year of law school. (All years).

I have gotten good grades during my first year of law school. (All years).

I will enjoy being a lawyer. (All years).

I am glad that I decided to attend law school. (Years 2 and 3).

154. An independent samples t-test was used to determine whether there were any statistically significant differences between the responses of the positive and negative grade gap students to the selected survey items. An independent samples t-test compares the average responses of two groups of respondents and determines whether the means are different to a statistically significant degree. GRAVETTER & WALLNAU, *supra* note 97, at 308. The students whose responses were included in these analyses were students for whom a grade gap could be determined (i.e., students who had coded responses to both the expected law school grade point average item on the entrance survey and the current law school grade point average item on the exit survey). In addition, for a given Likert-type item, the student had to have a coded response to that survey item; overall, for the grade gap group, there were only two missing values for these items.

155. The students with a grade gap from each survey year were compared, using their entrance survey responses, to see whether there were any statistically significant differences among the groups with respect to LSAT score, undergraduate grade point average, age, and sex. No statistically significant differences were found among these groups of students.

156. Other comparisons were also made using the grade gap variable. For example, the average grade gap of male respondents (-.346) was compared to the average grade gap of female respondents (-.215). An independent samples t-test indicated that this difference was statistically significant ( $p = .034$ ). Prior research has investigated whether there are differences between the grade expectations of male and female students relative to the grades that students actually receive. Beyer, *supra* note 50. Future research could further investigate this question with respect to law students. *See id.* at 294 (identifying some areas for further research regarding grade expectations and sex).

In addition, the average grade gap of respondents who were twenty-five and under (-.272) was compared to the average grade gap of respondents who were twenty-six and over (-.310). An independent samples t-test did not indicate that this difference was statistically significant.

Using the entrance survey responses, the numbers of twenty-five-and-under respondents and twenty-six-and-over respondents in the negative grade gap category were also compared with the numbers of respondents in those age groups in the positive grade gap category. A chi-square test of

response of the positive grade gap group was greater than the mean response of the negative grade gap group.<sup>157</sup> Not all of these differences, however, were statistically significant. There was a statistically significant difference between the mean response of the positive and negative grade gap groups for the survey item, “My first year of law school has been interesting.” There were also statistically significant differences between the mean responses of the positive and negative grade gap groups for the survey items regarding the grades that students had received during their first year of law school: “In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work”; “I have been satisfied with my grades during my first year of law school”; and “I have gotten good grades during my first year of law school.” The difference between the responses of the positive and negative grade gap groups to the item, “The courses that I have taken in my first year of law school have helped prepare me to be a lawyer” approached statistical significance. Statistically significant differences were not found between the responses of the positive and negative grade gap groups to the remaining survey items.<sup>158</sup>

---

independence was used for this comparison. Statistically significant differences were not found, indicating that the positive and negative grade gap categories were not different to a statistically significant degree in terms of the proportion of twenty-five-and-under and twenty-six-and-over respondents in each category. (Seventy percent of respondents in the negative grade gap category were twenty-five and under, and 77.92% of respondents in the positive grade gap category were twenty-five and under.)

In addition, the numbers of women and men in the negative grade gap category were compared with the numbers of women and men in the positive grade gap category. A chi-square test of independence was used for this comparison. A statistically significant difference was found, indicating that the positive and negative grade gap categories were different to a statistically significant degree in terms of the proportion of female and male respondents in each category. There was a higher proportion of women in the positive grade gap category (58.44%) than in the negative grade gap category (42.86%).

157. A response of five to a survey item indicated “strongly agree,” a response of one indicated “strongly disagree,” and a response of three indicated “neither agree nor disagree.” The mean response of the positive grade gap group was very close to the mean response of the negative grade gap group for the survey item, “I will enjoy being a lawyer,” although the positive grade gap group’s mean response was higher.

158. The remaining survey items were as follows:

I have enjoyed my first year of law school.

I enjoy studying law in law school.

I am looking forward to continuing to study law in law school.

Law school courses should be graded on a curve.

I am looking forward to returning for my second year of law school.

I will enjoy being a lawyer.

I am glad that I decided to attend law school.

When the same analyses were performed without adjusting the grade gap categories to include students with a negative grade gap above  $-.10$  in the positive grade gap category (i.e., when all students with a negative grade gap, regardless of size, were included in the negative grade gap category, and only students with a zero or positive grade gap were included in the positive grade gap category,

## 6. Comparisons Based on Law School Grade Point Average

In addition to comparisons based on students' grade gap category, these same students' responses were compared based on students' reported law school grade point average.<sup>159</sup> Specifically, the students with a grade gap (whether negative or positive) were divided into three categories based on the law school grade point average they reported on the exit survey. The categories were (1) students with a grade point average of 3.33 or higher, (2) students with a grade point average below 3.33 and above 2.67, and (3) students with a grade point average of 2.67 or below.<sup>160</sup> The same survey items that were used to compare students based on their grade gap category were used to compare those same students based on their grade point average.<sup>161</sup> Table 16 presents these comparisons.

Initially, the responses of these three groups of students were compared to see whether there were any statistically significant differences in their responses to the survey items.<sup>162</sup> There was a statistically significant

---

ry), almost all of the results were the same. Only one result went from being statistically significant to not being statistically significant: the t-test for the Likert-type item, "My first year of law school has been interesting." In addition, the p-value for the t-test for the survey item, "The courses that I have taken in my first year of law school have helped prepare me to be a lawyer," also increased (from .053 to .070). For the other survey items, the t-tests that yielded statistically significant results remained statistically significant, and the t-tests that yielded results that were not statistically significant remained not statistically significant.

159. There was a statistically significant positive—and relatively strong—correlation between grade gap and law school grade point average ( $r = .699$ ,  $p < .001$ ,  $N = 218$ ). Conversely, there was a statistically significant negative correlation—also relatively strong—between grade gap and expected law school grade point average ( $r = -.681$ ,  $p < .001$ ,  $N = 218$ ). A statistically significant correlation was not found, however, between expected and reported law school grade point average. The positive correlation between grade gap and law school grade point average raises the question of whether the relationships found between grade gap category and particular survey items were really reflecting relationships between law school grade point average and the particular survey items. In addition, there was a statistically significant difference between the average reported grade point average of students in the positive and negative grade gap groups ( $p < .001$ ). The average reported grade point average of students in the positive grade gap group was 3.31, while the average reported grade point average of students in the negative grade gap group was 2.96.

160. Overall, there were fifty students in the high grade point average group (fifteen from survey year one, fourteen from year two, and twenty-one from year three); there were 147 students in the middle grade point average group (fifty-two from year one, forty-eight from year two, and forty-seven from year three); and there were twenty-one students in the low grade point average group (five from year one, seven from year two, and nine from year three).

161. Consistent with the fact that a statistically significant correlation was not found between expected and reported grade point average, there was not a statistically significant difference in the expected grade point averages of students in each of the three grade categories. The average expected grade point average of students in the high grade category was 3.43, the average expected grade point average of students in the middle grade category was 3.35, and the average expected grade point average of students in the low grade category was 3.34.

162. ANOVA was used to compare the responses of these three groups of students. See GRAVETTER & WALLNAU, *supra* note 97, at 394 (discussing analysis of variance).

difference in the students' responses to seven of the survey items. There was a statistically significant difference in the students' responses to the survey items regarding their enjoyment of law school: "I have enjoyed my first year of law school" and "I enjoy studying law in law school." There was also a statistically significant difference in the students' responses to the survey item, "My first year of law school has been interesting." In addition, there were statistically significant differences in the students' responses to the survey items regarding law school grading and their law school grades: "Law school courses should be graded on a curve"; "In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work"; "I have been satisfied with my grades during my first year of law school"; and "I have gotten good grades during my first year of law school." Statistically significant differences were not found for the students' responses to the remaining survey items.<sup>163</sup>

The initial comparison of the responses to each survey item based on law school grade point average could identify only whether there was a statistically significant difference in the responses to that survey item; the analysis did not identify where any difference lay. In other words, the initial analysis did not identify which grade point average category's responses were significantly different from which other grade point average category's responses. To further investigate these differences, for each item where the initial analysis indicated a statistically significant difference, the responses of each grade point average category were directly compared to the responses of each of the other grade point average categories.<sup>164</sup> This further investigation indicated that for certain survey items, in particular the items regarding students' attitudes toward their own law school grades, there were statistically significant differences between the responses of each grade category.<sup>165</sup> For the remaining survey items, there were statistically significant differences between the responses of some grade categories but not others.<sup>166</sup>

---

163. The remaining survey items were as follows:

The courses that I have taken in my first year of law school have helped prepare me to be a lawyer.

I am looking forward to continuing to study law in law school.

I am looking forward to returning for my second year of law school.

I will enjoy being a lawyer.

I am glad that I decided to attend law school.

164. A Scheffé analysis was used for these comparisons. See GRAVETTER & WALLNAU, *supra* note 97, at 428–30.

165. See *infra* Table 16.

166. See *infra* Table 16.



#### IV. DISCUSSION OF RESULTS AND IMPLICATIONS FOR LEGAL EDUCATION

The results in the preceding Part shed light on law students' perspectives regarding law school grading. Specifically, the data contribute information about law students' attitudes and expectations regarding law school grading and their own law school grades. The data also add to our understanding of the relationships (or lack thereof) between students' grades and attitudes. The present Part will highlight some of the research findings and explore the implications of those findings in light of existing critiques of grading in legal education and research regarding students' grade expectations.

As an initial matter, the data confirm largely anecdotal reports about the importance of grades to law students.<sup>167</sup> At both the beginning and end of each survey year, a large majority of students indicated that getting good grades was important to them.<sup>168</sup> On the other hand, the data suggest that getting good grades may be somewhat less important to students at the end of the first year of law school. At the end of the year, a much lower percentage of students strongly agreed that getting good grades was important to them than at the beginning of the year.<sup>169</sup> In addition, in each survey year, for those students who took both the entrance and exit surveys, there was a statistically significant difference between their responses to the entrance and exit survey items about the importance of good grades; on average, these students' exit survey responses were lower than their entrance survey responses.<sup>170</sup> Regardless, getting good grades was important to a large majority of first-year law students at both the beginning and end of the year.

The data from this study suggest that law students may be unrealistically optimistic regarding the grades they expect to receive in law school and how their law school grades will compare to their college grades. In each survey year, most students predicted that their law school grades would be either better than or about the same as their grades in college. Only about 14% of students in each survey year predicted that their law school grades would be worse than their college grades. At the

---

167. See, e.g., Cramton, *supra* note 3, at 328–29; Henderson, *supra* note 2, at 405–06; see also Tani & Vines, *supra* note 14, at 3 (noting that based on their empirical research, law students in Australia “seemed disproportionately concerned about their grades” relative to students in other disciplines).

168. See *supra* Part III.B.2.a.

169. See *supra* Part III.B.2.a. These percentages are based on all coded responses to the survey items, including the responses of students who took either the entrance survey or the exit survey, but not both. See *supra* note 88. The entrance and exit survey items were not identical, but they both investigated the importance of getting good grades in law school.

170. See *supra* Part III.B.4.

end of the year, however, most students reported that their law school grades were worse than their college grades. Less than 17% of respondents in each survey year reported that their law school grades were better than their grades in college. These findings are consistent with both prior empirical research investigating law students' expectations for their class rank<sup>171</sup> and some prior empirical research regarding students' grade expectations.<sup>172</sup> The findings also confirm previous anecdotal accounts of law students expecting to receive grades similar to those they received as undergraduates and then receiving lower grades than they expected.<sup>173</sup> Further, the data from this research suggest that some law students do not just expect to get similar grades to those they received in college but actually expect to get *better* grades than they received in college.<sup>174</sup>

The data also indicate that students' expectations regarding their actual law school grades may be optimistic. On average, students' expected grade point average was over 3.30 for each survey year. In addition, in all three survey years, the most frequently predicted grade point average was 3.50. In each survey year, however, the average reported grade point average was closer to 3.00.<sup>175</sup> Moreover, for all students with a grade gap,<sup>176</sup> the average grade gap was  $-.284$ , indicating that on average these students overestimated their law school grade point average.<sup>177</sup>

---

171. Siddique et al., *supra* note 35, at 672; WIGHTMAN, *supra* note 35, at 69.

172. *See supra* note 49.

173. *See* Glesner Fines, *supra* note 4, at 901.

174. The data regarding students' grade expectations raise the question of what students are basing their expectations on (e.g., wishful thinking, past performance). In all three survey years, a statistically significant correlation was not found between expected law school grade point average and reported undergraduate grade point average. This result suggests that incoming law students are not basing their law school grade expectations on their undergraduate grade point averages. *See supra* Part III.B.3. For the first two survey years, there was a statistically significant correlation—although not a strong one—between students' LSAT score and their expected law school grade point average, so it is possible that students' grade expectations were at least in part informed by their performance on the LSAT. *See supra* Part III.B.3. Correlation, however, is not the same as causation, and my research project did not ask students the basis (or bases) for their grade expectations. Future research could investigate the bases for students' grade expectations.

175. The students did not know their final first-year grade point average when they took the exit survey; however, the students' grade point average when they took the exit survey would have been based on their grades for two terms of courses. In addition, the respondents' law school had mandatory means for all of the graded first-year courses and a mandatory distribution for all graded first-year courses except the students' legal writing courses. It is nonetheless possible that a student's final first-year grade point average could be either higher or lower than that student's grade point average after two terms of courses.

176. A student's grade gap was the difference between that student's reported and expected law school grade point average. Students with a grade gap were students with a coded response to both the expected grade point average item on the entrance survey and the current grade point average item on the exit survey.

177. The grade gap students' average expected and reported grade point averages were similar to those of all students who answered the entrance surveys and all students who answered the exit

As discussed previously, getting good grades was important to a large majority of first-year law students in the study, and on average, first-year law students ended up getting worse grades than they expected. In light of these findings, one might expect law students to be distressed and discouraged as a result of their law school grades. Indeed, much of the literature regarding law school grading suggests that this is what happens to law students.<sup>178</sup> This literature suggests that law students may lose confidence and feel demoralized because their efforts did not “pay off” with grades that matched their expectations.<sup>179</sup> These frustrated expectations could therefore be one source of law student distress.<sup>180</sup>

Moreover, law students might attribute their lower-than-expected grades to factors that might all in their own ways contribute to law students’ distress, disengagement, and dissatisfaction. First, students might attribute lower grades to their own ability and performance.<sup>181</sup> Students might internalize their lower-than-expected grades as a signal of their lack of ability and as a result lose confidence in themselves and their decision to attend law school. Second, students might attribute lower grades to the perceived ineffectiveness of their professors. If students believe that they received lower-than-expected grades because their professors failed to teach effectively or assessed students’ performance inaccurately, students could become dissatisfied with their professors and perhaps disengage from their studies. Third, students might blame the law school grading system, particularly curved grading. In fact, curved grading has been the brunt of much criticism and has been blamed for causing law student anxiety and disengagement.<sup>182</sup> If law students believe that their

---

surveys. The average expected grade point average for the grade gap students was 3.37, and the average reported grade point average for the grade gap students was 3.08.

The expected and reported law school grade point averages of the grade gap students were included in the calculations of the average expected grade point average for all students who responded to the entrance survey item in each survey year, as well as the average reported grade point average for all students who responded to the exit survey item in each survey year and whose responses were coded. These averages also included those students with coded responses to either the entrance or the exit survey item but not both.

178. See, e.g., Morris, *supra* note 10, at 452–53.

179. *Id.*

180. See *supra* notes 27–28. To the extent that law students tend to overestimate their grades, this could also have an impact on law students’ preferences for graded and ungraded work. I have previously found that, at the end of the first year of law school, more than 50% of responding first-year law students agreed with wanting multiple graded assignments, while more than 50% of responding first-year law students *disagreed* with wanting multiple *ungraded* assignments. Zimmerman, *What Do Law Students Want?*, *supra* note 8. Although I did not investigate the reasons underlying these preferences, it is possible that students’ preferences are at least in part a product of their optimistic grade expectations: students might assume that if they are graded on an assignment, they will receive a good grade on that assignment.

181. See *Making Docile Lawyers*, *supra* note 2, at 2035.

182. See *supra* Part II.A.

lower-than-expected grades resulted not from their actual performance, but from the forced grading curve, then students might become dissatisfied with and disengaged from their law school experience (particularly with respect to their formal law school studies).<sup>183</sup>

The narrative of lower-than-expected grades resulting in law students' disappointment, distress, and dissatisfaction with their law school experience and law school grading practices makes intuitive sense. The data from this research, however, paint a more complex, nuanced picture. The remainder of this Part discusses three aspects of law school grading that these data address: students' attitudes regarding curved grading, students' grade expectations, and students' actual grades.

#### *A. Students' Attitudes Regarding Curved Grading*

Law students' attitudes regarding curved grading appear to be more diverse than the attitudes of scholars who write about and criticize the use of curved grading in legal education. Given both the literature critiquing curved grading<sup>184</sup> and the possibility that law students might attribute their lower-than-expected grades to curved grading, one might expect law students to overwhelmingly dislike curved grading. The data suggest, however, that this is not the case.

In the third survey year, students were asked at the beginning of the year whether they agreed with the use of curved grading in law school.<sup>185</sup> The percentage of students who agreed with the use of curved grading was the same as the percentage of students who neither agreed nor disagreed with the use of curved grading.<sup>186</sup> A slightly lower percentage of students disagreed with the use of curved grading.<sup>187</sup>

Some might claim that at the beginning of the year, students do not know how the curve will affect their grades and as a result are not in the best position to evaluate the use of the curve in law school.<sup>188</sup> Rather,

---

183. Cf. Dennis E. Clayson, *Performance Overconfidence: Metacognitive Effects or Misplaced Student Expectations?*, 27 J. MARKETING EDUC. 122, 124 (2005) (noting concern with students believing that there is a disconnect between their performance and grades).

184. See *supra* Part II.A.

185. In the first and second survey years, students were asked at the end of the year, but not at the beginning of the year, whether they agreed with curved grading.

186. See *supra* Part III.B.2.b.

187. See *supra* Part III.B.2.b.

188. One might also claim that law students do not know they will be graded on a curve in law school, and even if they do know, they do not understand what curved grading means. The data from this research project suggest that this claim is not true for at least some incoming law students. In all three survey years, a majority of students indicated that they expected to be graded on a curve in most of their first-year law school classes, and very few students indicated that they did not expect to be graded on a curve. See *supra* note 110. In addition, in all three survey years, at the beginning of the year, a large majority of students indicated that they knew what it meant to be graded on a curve.

students might come to dislike the curve as they experience its use during their first year of law school. At the end of all three survey years, however, students' attitudes regarding the use of curved grading in law school were decidedly mixed. In fact, in all three survey years, the percentage of students who indicated that they either disagreed or strongly disagreed with curved grading was about the same as the percentage of students who indicated that they either agreed or strongly agreed with curved grading.<sup>189</sup> Thus, students were not as uniformly condemning of curved grading—even at the end of the first year of law school—as one might expect, especially given the prevailing critiques of curved grading.

In addition, a statistically significant difference was not found between the average response of positive and negative grade gap students to the item on the exit survey regarding the use of curved grading. Although the average response of students with a positive grade gap (3.04) was higher than the average response of students with a negative grade gap (2.86), this difference was not statistically significant.<sup>190</sup> Therefore, this research did not find a statistically significant relationship between grade gap group (i.e., students' reported grades relative to their expected grades) and students' attitudes toward curved grading in law school.

On the other hand, for those students with a grade gap, the research did find a statistically significant relationship between reported grades and attitudes toward curved grading.<sup>191</sup> For the item regarding the use of curved grading in law school, the mean response of students with a grade point average of 3.33 or above was 3.06; the mean response of students with a grade point average between 3.33 and 2.67 was 2.98; and the mean response of students with a grade point average of 2.67 or below was 2.15.<sup>192</sup> Further analysis indicated that there was a statistically significant difference between the mean responses of students in the top and middle grade categories, as compared to students in the bottom grade category.<sup>193</sup> Thus, the data indicate that there may be a salient relationship between students' actual grades and students' attitudes toward curved grading. It seems possible that students who received grades of

---

*See infra* Table 4. Moreover, in all three survey years, most students indicated that they had been graded on a curve before, reinforcing students' understanding of what it meant to be graded on a curve. *See supra* note 109. On the other hand, the surveys did not ask students to explain curved grading in order to determine their understanding, and the surveys did not ask students whether they knew what the specific first-year curve was at the law school that they were attending (i.e., the required course grade mean and distribution).

189. *See infra* Table 6.

190. *See infra* Table 15.

191. *See infra* Table 16.

192. *See infra* Table 16.

193. *See infra* Table 16.

2.67 or below would have a more negative attitude toward curved grading because they fared worse under a curved grading system. This research project, however, did not ask students the reasons underlying their attitudes toward curved grading. Future research should further explore the relationship between students' grades and their attitudes toward curved grading.

As discussed previously, the data suggest that students do not uniformly dislike curved grading, and that curved grading may not be the source of student dissatisfaction to the extent suggested by the literature. Rather, the data suggest that students have differing opinions regarding curved grading, with some students agreeing with the use of curved grading, some students disagreeing, and other students neither agreeing nor disagreeing. The data also indicate a possible relationship between students' law school grades and their attitudes toward curved grading.

More research is warranted regarding students' attitudes toward curved grading, but the data suggest a few potential considerations for legal educators. Law schools should consider explaining the curve to their students, so students know what the curve is and understand what it means to be graded on a curve at their law school. Students enter law school having had different experiences with curved grading. Although many students may have experienced curved grading before law school, other students may not have previously been graded on a curve.<sup>194</sup> In addition, although many students may expect to be graded on a curve in law school, some students may not know whether they will be graded on a curve.<sup>195</sup> Moreover, although not investigated by this research project, students may have had prior experience with curved grading or understand what it means to be graded on a curve and yet not know what the specific curve is at their particular law school.

Especially given that some students disagree with curved grading,<sup>196</sup> law schools should consider discussing the rationale for a grading curve with their students.<sup>197</sup> Such an explanation might have a number of benefits for students, faculty, and administrators. Having to explain the rationale for curved grading and for the specific curve used would help ensure that there actually is a justifiable rationale for the curve, and that faculty and administrators, as well as students, understand that rationale. Identifying the rationale for the curve may cause administrators and fa-

---

194. See *supra* note 109.

195. See *supra* note 110.

196. See *infra* Tables 5 & 6.

197. The use of "rationale" in the singular in this sentence is not meant to suggest that there could be only one reason for using a curve. There might be multiple reasons justifying a law school's use of curved grading.

culty to reflect on the curve they use, and this reflective process could result in improvements to the curve to better accomplish its underlying goals.

Explaining the curve and its rationale might also help those students who oppose the curve to understand its benefits. Some students may feel that the curve necessarily means they will receive worse grades than their work deserves because they will be graded relative to their classmates. Given students' overly optimistic grade expectations, students may assume that they would receive high grades without a curve, and that the curve obligates professors to give lower grades than students would otherwise receive. These students may not appreciate that the curve might actually raise their grades. To the extent that curved grading causes professors to grade students relative to the performance of their classmates instead of using purely "objective" performance standards set by professors, the curve might require those professors who would otherwise grade students according to perhaps unrealistically high mastery standards to use more realistic standards for evaluating their students' work.

Furthermore, explaining the curve and its rationale to students demonstrates both that there is, in fact, a rationale that underlies the curve, and that the law school respects and considers its students in taking the time to explain the curve to them. Thus, in addition to helping students better understand the curve, the transparency that explaining the curve to students reflects is a value that is worth promoting in and of itself.<sup>198</sup>

While explaining the curve to students might have a number of advantages, it also raises some issues. First, explaining the curve to students may not result in students having more realistic grade expectations. Some prior research with students (albeit not law students) indicates that students' grade expectations may not become more realistic after receiving information about course grading,<sup>199</sup> or even information about their own performance in the course.<sup>200</sup> Although students' expectations regarding their classmates' grades may become more realistic, students' expectations regarding their own grades may not.<sup>201</sup>

Second, there are potential disadvantages to explaining the curve to students at the beginning of their law school career. To prevent law students' unrealistic grade expectations, a law school may be inclined to explain the curve to students as early as possible, so students can adjust

---

198. Explaining the curve to students who are opposed to it and acknowledging students' concerns might also help to promote students' feelings of autonomy. See Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 884.

199. Svanum & Bigatti, *supra* note 49, at 15–16.

200. Beyer, *supra* note 50, at 286.

201. Cann, *supra* note 49, at 242.

their expectations sooner rather than later. This inclination assumes that more information about the curve would result in more realistic grade expectations and that students would benefit from having more realistic grade expectations. These assumptions, however, might not be true. Moreover, even if there are certain advantages to having more realistic grade expectations at some point during the first year of law school (which the next section addresses in more detail), there still might be downsides to attempting to disabuse students of their expectations at the very beginning of their law school career. To the extent that grades motivate law students,<sup>202</sup> giving students information about the curve early on might discourage some students.<sup>203</sup> Also, the data indicate that although most students with a grade gap did worse than expected, some students' grades either matched or exceeded their expectations.<sup>204</sup> For these students, lowering their grade expectations might only cause them to have even more unrealistically low expectations.

Rather than adopting an all-or-nothing approach, law schools could adjust the information provided to students about law school grading based on where students are in their law school career. There might be a more advantageous time to give students detailed information about the curve than at the very beginning of law school, when we might not want to disabuse students of their expectations and, moreover, when students already have so much new information to absorb. Instead, law schools could provide some basic information about the curve to incoming law students and then explain grading in more detail shortly before and after students receive their first grades.<sup>205</sup> As students get closer to receiving their grades (and shortly after receiving their grades), students might be most interested in information about law school grading practices and most in need of information that could help them both adjust their expectations for and interpret their grades.

---

202. See Tani & Vines, *supra* note 14, at 25 (“The focus on getting good grades as a motivator is perhaps the most significant factor differentiating law students from other students.”).

203. See van Dijk et al., *Lowering Expectations*, *supra* note 54, at 514 (“[W]hen the anticipation of disappointment leads to excessive lowering of expectations, that is, when it leads to a complete loss of hope, confidence, or optimism it may be less functional.”).

204. Of the 218 respondents with a grade gap, 77 were in the positive grade gap category and 141 were in the negative grade gap category. Of the seventy-seven respondents in the positive grade gap category, sixty-six had a reported grade point average that either met or exceeded their expectations. The additional eleven respondents in the positive grade gap category had a negative grade gap above  $-.10$ .

205. Researchers have suggested that some times are better than others to lower expectations. Van Dijk et al., *Lowering Expectations*, *supra* note 54, at 514. As these authors state, “Lowering expectations is most appropriate in situations when nothing can be done about the outcome or performance, but people have not (yet) been provided with feedback about an outcome or performance.” *Id.*



As this discussion demonstrates, there are many areas for further research regarding law students and curved grading. Future research could investigate the extent of students' knowledge about curved grading, the information about curved grading that would be useful for students to know, and the points at which receiving this information would be most meaningful for students.

### *B. Students' Grade Expectations*

In addition to contributing to our understanding of law students' attitudes toward curved grading, the data from this research project shed light on how students' grade expectations relative to their actual grades may or may not relate to students' perceptions of their law school experience. Literature regarding law school grading frequently notes how stressful grading is for law students and that many first-year law students find the receipt of their first set of grades to be particularly distressing.<sup>206</sup> As this literature describes, first-year law students enter law school with a record of past academic accomplishment, and law students' first set of law school grades may be the first time that they have not received "good" grades.<sup>207</sup> According to this common narrative, the receipt of the first set of law school grades is a time of disappointment and loss of confidence.<sup>208</sup> Students who receive disappointing grades may question their decision to come to law school and may disengage from their law studies.<sup>209</sup> The literature suggests that law students' overly optimistic grade expectations may be one source of students' distress.<sup>210</sup> As a result, lowering students' grade expectations might prevent students from feeling disappointed when they receive their grades. According to this line of thought, incoming law students' grade expectations should be adjusted before students receive their grades in order to mitigate the negative impact of those grades.

On the other hand, the narrative of grade disappointment and subsequent disengagement is not the only possible story. Law students may be more resilient than many legal educators might think. Although law students might experience initial disappointment if they receive lower grades than they expected or received in the past, law students may rebound from this disappointment more than we may think. Law students may readjust their expectations after—or even before—receiving their first set of grades. Moreover, law students' engagement in law school

---

206. *See supra* Part II.B.

207. *See supra* notes 27–29.

208. *See supra* notes 29, 37–39.

209. *See supra* note 40.

210. *See supra* note 29.

might not necessarily rise and fall on their law school grades. Students might have other reasons to engage in law school besides getting good grades. Conversely, receiving good grades might not by itself guarantee that students will be engaged in law school. Thus, unrealistically optimistic grade expectations may not necessarily contribute to students' distress. Rather, students' optimistic grade expectations may actually motivate students and help students persevere through the challenges of the first several months of law school.<sup>211</sup>

The data reported in this Article suggest that, although many students come to law school with unrealistically optimistic grade expectations, law students are relatively resilient in the face of this potentially disappointing situation. Contrary to what might have been anticipated, statistically significant differences were not found between the positive and negative grade gap groups with respect to their attitudes regarding their enjoyment of law school, their satisfaction with their decision to attend law school, their looking forward to continuing to attend law school, and their expectation of enjoying being lawyers.<sup>212</sup> Thus, receiving worse grades than expected may not be as salient to students' law school experience as previously supposed.

On the other hand, statistically significant differences were found between the positive and negative grade gap groups regarding their attitudes about their law school grades.<sup>213</sup> On average, the negative grade gap students' responses indicated less satisfaction with their law school grades than the positive grade gap students.<sup>214</sup> A statistically significant

---

211. See Siddique et al., *supra* note 35, at 668. I am interested in exploring the topic of law students and perseverance in future scholarship.

212. See *infra* Table 15. The difference between these two groups' responses to whether their first-year courses prepared them for law practice approached, but did not reach, statistical significance. On the other hand, there was a statistically significant difference between the responses of the positive and negative grade gap groups with respect to whether their first year of law school was interesting. Both groups' average response to this item was over four, however, indicating that on average both groups agreed that the first year of law school had been interesting. Also, when the unadjusted grade gap categories were used (i.e., when all students with a negative grade gap were included in the negative grade gap category), a statistically significant difference was not found between the average responses of the positive and negative grade gap groups to this item. See *supra* note 158.

213. See *infra* Table 15. Moreover, the difference between the average responses of these two groups to each survey item regarding their own law school grades was relatively large. See *infra* Table 15.

214. See *infra* Table 15. Specifically, there was a statistically significant difference between the positive and negative grade gap students' mean responses to the survey item, "I have been satisfied with my grades during my first year of law school." See *infra* Table 15. In addition, there was a statistically significant difference between the positive and negative grade gap students' mean responses to the item, "In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work." See *infra* Table 15. Although students could disagree with this item because they thought their grades were either worse or better than they de-

difference, however, was not found between the positive and negative grade gap students' attitudes regarding the use of curved grading in law school.<sup>215</sup>

Although more research is needed to investigate further the relationship between students' grade expectations and their perceptions of their law school experience, these data suggest that law students' unrealistically high grade expectations may not necessarily pervade all aspects of their law school experience. Students' own experiences with law school grading (i.e., the grades that students receive relative to their expectations) may color their attitudes regarding their own grades. Students' own experiences with law school grading, however, may not be as important with regard to students' attitudes about their law school experience more broadly. Thus, contrary to some of the suggestions in the literature regarding law students and grading, students may not disengage from law school upon receiving disappointing grades.<sup>216</sup>

More research is needed regarding students' grade expectations, actual grades, and attitudes regarding law school. The statistically significant differences between the responses of the negative and positive grade gap students to particular survey items do not mean that having a negative or positive grade gap was necessarily the cause of those differences. Conversely, the fact that statistically significant differences were not found for certain survey items does not mean that doing better or worse than expected is necessarily irrelevant to students' law school experiences. If receiving lower grades than expected is in fact a root cause of students' dissatisfaction with law school, however, then we might expect to find more statistically significant differences between the mean responses of the positive and negative grade gap groups to the survey items regarding students' attitudes toward law school. Perhaps students' grades relative to their expectations are not as salient in determining students' attitudes toward law school as previously thought. If that is the case, then disabusing incoming law students of their high grade expectations at the beginning of the year might not be quite so necessary.<sup>217</sup> In fact, to the

---

served, students likely disagreed with this item because they thought they received worse grades than they deserved.

On average, the negative grade gap students also reported less agreement with thinking that they had received good grades in law school. See *infra* Table 15. There was a statistically significant difference between the mean responses of the positive and negative grade gap students to the survey item, "I have gotten good grades during my first year of law school." See *infra* Table 15.

215. See *infra* Table 15.

216. See Glesner Fines, *supra* note 4, at 901; Morris, *supra* note 10, at 452–53.

217. There may be other important reasons to provide information to students regarding their law school's grading policies (e.g., transparency). The data from this research, however, suggest that

extent that students' high grade expectations are adaptive (e.g., motivating students to persist through the challenges of the first few months of law school), it might actually be better not to disabuse students of their grade expectations at the beginning of the year.<sup>218</sup> This research did not find a statistically significant correlation between expected and reported law school grade point average, suggesting that higher grade expectations are not related to higher grades.<sup>219</sup> High grade expectations, however, may be related to other aspects of students' law school performance, such as persistence. Future research could investigate whether high grade expectations are adaptive for law students.<sup>220</sup>

Future research could also investigate why law students receiving lower-than-expected grades may not be associated with students perceiving their law school experience more negatively. Law school grades, while important to students, may not determine students' law school ex-

---

it might not be necessary to provide this information for the specific purpose of disabusing students of their unrealistically high grade expectations.

218. To the extent that faculty want students to have high expectations for themselves, disabusing students of their grade expectations might be more harmful than helpful. *See* B. Glesner Fines, *The Impact of Expectations on Teaching and Learning*, 38 GONZ. L. REV. 89 (2002–2003) (discussing the value of teachers having high expectations for students and students having high expectations for themselves). It might be difficult to communicate high expectations for students' ability to learn while simultaneously telling students that they will likely get lower grades than they expect. On the other hand, faculty could try to help students adjust to the grading standards of law school by letting students know that grades students might have considered to be "bad" in their undergraduate experience are not considered "bad" in law school. This information might be most meaningful to students just before or after they receive their first grades in law school, rather than at the very beginning of the year.

219. *But see* Siddique et al., *supra* note 35, at 673–74 (finding positive relationships between law students' expected and actual performance).

220. *Cf. id.* at 675 (noting that "interventions aimed at raising students' optimism may improve their experience in law school," even though no relationship was found between optimism and "academic performance"). Conversely, future research could investigate whether low expectations are adaptive for some law students. There was a statistically significant difference between the grade expectations of students in the positive and negative grade gap groups ( $p < .001$ ). The mean expected law school grade point average of students in the positive grade gap group was 3.12, while the mean expected grade point average of students in the negative grade gap group was 3.50. Previous research with law students found that students who were classified as optimists and nonpessimists actually tended to perform worse in law school than other students. Satterfield et al., *supra* note 48, at 95–96, 98–101. In discussing their findings, the researchers considered whether pessimism (or nonoptimism) might actually be an asset for law students and lawyers because "pessimism [might be] associated with traits such as realism or conservatism—in short, the prudence which may loom large in a good legal mind." *Id.* at 103. In addition, the researchers raised the possibility that pessimistic or nonoptimistic law students might actually use pessimism as a positive coping mechanism, as discussed in the literature regarding "defensive pessimism." *Id.* at 104; *see also* Norem & Cantor, *supra* note 62, at 1209 (describing defensive pessimism as "a strategy . . . in which people set unrealistically low expectations prior to entering a situation in order to prepare themselves for potential failure and to motivate themselves to work hard in order to avoid that failure"); *cf.* Siddique et al., *supra* note 35, at 667–68, 673–74 (discussing "worry" as a potentially beneficial strategy). I am interested in investigating law students and defensive pessimism in future empirical research.

perience to the extent that some legal educators believe. Students might (consciously or unconsciously) compartmentalize their responses to their law school grades: students' law school grades may influence students' attitudes about their law school grades but not necessarily their attitudes about their law school experience more generally. Students might also adjust their grade expectations during the course of their first year of law school, so over time, their expectations align more with reality.<sup>221</sup> Conversely, the students in this study may have continued to be optimistic about their grades so that when they took the exit survey, they believed that their grades would improve and more closely match their expectations.<sup>222</sup> If this is the case, then perhaps students' lower-than-expected grades had not yet influenced their attitudes toward their law school experience because students still felt that their grades would improve.<sup>223</sup> Future research could survey students after they receive their final first-year grades to see whether students' attitudes regarding their law school experience differ at that time.

---

221. The present research project asked students for their grade expectations on the first day of orientation. Future research could ask students for their grade expectations at different points during the first year of law school to see whether students' grade expectations change over time. It is possible that at the beginning of the year students' grade expectations are more aspirational than they might be as the year progresses. Cf. Andrews et al., *supra* note 49, at 7–9 (distinguishing between students' grade expectations and grade aspirations); Massey et al., *supra* note 50, at 280 (“One unanswered question [of the authors' research] is whether participants believe the predictions they make.”). On the other hand, students could still experience disappointment if their grades do not live up to their aspirations. One student provided two numbers in response to the expected law school grade point average item on the entrance survey: next to one number, the student wrote “(expect)” and next to the other—higher—number, the student wrote “(goal).” The number accompanied by “(expect)” was the response that was coded.

Future research could also ask law students at the end of their first year their expectations for their second-year grades and compare students' expectations for their first- and second-year grades. In addition, students' expectations for their second-year grades could be compared with students' actual second-year grades to see whether the grade gap for students' second-year grades is different from the grade gap for students' first-year grades.

222. The students took the exit survey during the last week of class. At this time, the students had received two sets of law school grades: one from the fall quarter and one from the winter quarter. The students had not yet taken their spring quarter final exams or received their final grades for their spring quarter classes. As a result, when they took the exit survey, students did not yet know their final first-year grade point average. Future research could obtain information regarding students' final first-year grade point average. In addition, researchers could obtain final first-year grade point averages from students' official law school transcripts rather than from students' self-reporting. There are advantages and disadvantages to both the methodology used in this study and these alternatives.

223. See Remedios et al., *supra* note 50, at 363 (suggesting that when students receive grades that do not match their expectations while a course is still ongoing, students may not “experience their failure to meet their expectations as true failure” because students have not yet received their final grade in the course).

*C. Students' Grades*

In addition to examining whether there was any relationship between students having a positive or negative grade gap and their attitudes toward law school, the data were also analyzed to see whether there was any relationship between students' reported law school grades and their attitudes toward law school. Students' reported grades were examined on their own for two main reasons. First, law school grades are a frequently cited source of law student distress.<sup>224</sup> It is possible that students' grades could be related to students' attitudes toward their law school experience, regardless of whether those grades lived up to their expectations. Second, there was a statistically significant positive correlation between reported law school grade point average and grade gap: the higher a respondent's grade gap tended to be, the higher that respondent's law school grade point average tended to be. As a result, a question remained as to whether the statistically significant differences in responses between the positive and negative grade gap students were really artifacts of differences between these students' law school grade point averages. Although the data analysis techniques used here do not definitively answer this question,<sup>225</sup> it would be useful to see whether there were any statistically significant differences in students' responses when students with a grade gap were divided into groups based on their reported law school grade point average and, if so, how those differences would compare to the statistically significant differences found between the responses of these same students based on whether they had a negative or a positive grade gap.

As with the grade gap analyses, statistically significant differences were found in students' responses to the survey items regarding their attitudes toward their own law school grades. An initial analysis indicated a statistically significant difference regarding students' responses to the following survey items: "In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work"; "I have been satisfied with my grades during my first year of law school"; and "I have gotten good grades during my first year of law school." For each of these survey items, the students in the highest grade category had the highest mean response, the students in the middle

---

224. See *supra* Part II.A.

225. Performing an analysis of covariance (ANCOVA) would be another way to investigate the relationship between grade gap category and attitudes toward law school, controlling for law school grade point average. See KINNEAR & GRAY, *supra* note 142, at 226 (discussing analysis of covariance). Given the nature of the data and the sample sizes in this research project, however, ANCOVA was not used here. Future research could also further investigate the grade gap groups, for example, by subdividing the groups based upon grade point average or magnitude of grade gap.

grade category had the next highest mean response, and the students in the lowest grade category had the lowest mean response.<sup>226</sup> Further analysis indicated that for each survey item, the mean response of students in each grade category was different to a statistically significant degree from the mean responses of students in the other two grade categories.<sup>227</sup> Thus, the data indicate a relationship between students' reported grade point average and students' attitudes regarding their grades.<sup>228</sup>

In addition to finding statistically significant differences between the attitudes of students in each grade category regarding their own law school grades, the data analysis also revealed a statistically significant difference between these students' attitudes toward the use of curved grading in law school. Unlike the grade gap analysis, which did not reveal a statistically significant difference between the attitudes of students with a positive and negative grade gap regarding the use of curved grading in law school, the attitudes of students in different grade categories regarding curved grading did differ to a statistically significant degree.<sup>229</sup>

There were also statistically significant differences between the responses of students in the different grade categories regarding their enjoyment of law school. Unlike the grade gap analysis, which did not reveal a statistically significant difference between the responses of students with positive and negative grade gaps, statistically significant differences were found between the responses of students in the different grade categories to the items regarding law school enjoyment: "I have enjoyed my first year of law school," and "I enjoy studying law in law school."<sup>230</sup>

As with the grade gap analysis, there were certain survey items where statistically significant differences in the responses of students in

---

226. See *infra* Table 16.

227. See *infra* Table 16.

228. Similar to the grade gap analysis, an initial analysis indicated that there was a statistically significant difference in students' responses to the survey item, "My first year of law school has been interesting." See *infra* Table 16. Further testing indicated that there was a statistically significant difference between the responses of students in the high and low grade categories. See *infra* Table 16.

229. An initial ANOVA indicated a statistically significant difference in students' responses to the survey item, "Law school courses should be graded on a curve." See *infra* Table 16. Further analysis indicated that the responses of students in the high and middle grade categories were different to a statistically significant degree from the responses of students in the low grade category. See *infra* Table 16.

230. Initial ANOVAs indicated statistically significant differences in students' responses to these survey items. See *infra* Table 16. Further analysis indicated that for both items there was a statistically significant difference between the responses of students in the high and low grade categories. See *infra* Table 16. Also, for the item, "I have enjoyed my first year of law school," the difference between the responses of students in the high and middle grade categories approached statistical significance. See *infra* Table 16.

different grade categories were not found. Specifically, there was not a statistically significant difference in students' responses to the survey item regarding students' satisfaction with their decision to attend law school: "I am glad that I decided to attend law school." In addition, statistically significant differences were not found with respect to the two survey items regarding students' continued law school attendance: "I am looking forward to continuing to study law in law school," and "I am looking forward to returning for my second year of law school." Also, a statistically significant difference was not found in students' responses to the survey item regarding their anticipated enjoyment of being lawyers: "I will enjoy being a lawyer."<sup>231</sup>

Overall, the data indicate some interesting trends regarding law students' grades and their attitudes toward law school. The results suggest that students who receive lower grades are not only less satisfied with those grades<sup>232</sup> but also do not necessarily agree that those grades accurately reflect their own judgment regarding the quality of their work.<sup>233</sup> These findings suggest that law school professors and administrators may face resistance from students who receive lower grades because those students do not necessarily believe that their grades are an accurate reflection of their work. Moreover, the fact that a statistically significant correlation between expected and reported grade point average was not found suggests that students with low grade point averages did not necessarily expect to receive lower grades when they started law school.

If students question whether their grades accurately reflect their performance, then students may not believe that their grades are legiti-

---

231. A statistically significant difference was also not found for students' responses to the survey item, "The courses that I have taken in my first year of law school have helped prepare me to be a lawyer." See *infra* Table 16. In the grade gap analysis, the difference between the responses of the positive and negative grade gap students to this item approached statistical significance. See *infra* Table 15.

232. For the survey item, "I have been satisfied with my grades during my first year of law school," a statistically significant difference was found between the mean response of students in each grade category. See *infra* Table 16. Students in the lowest grade category had the lowest mean response to this survey item (1.67), and students in the highest grade category had the highest mean response to this survey item (4.12). See *infra* Table 16.

233. For the survey item, "In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work," a statistically significant difference was found between the mean responses of students in each grade category. See *infra* Table 16. Students in the lowest grade category had the lowest mean response to this survey item (2.10), and students in the highest grade category had the highest mean response to this survey item (4). See *infra* Table 16. Although theoretically students could disagree with this survey item if they received grades that were either higher or lower than they thought their work deserved, it seems likely—especially given these students' responses to the other survey items regarding their attitudes about their grades—that students who disagreed with this item did so because they received lower grades than they thought their work deserved. See *infra* Table 16.



mate or see their grades as a signal of needed improvement. Law professors might prefer to believe that students who receive lower grades accept those grades as a reflection of the quality of their work, even if those students are not content with those grades. Rather than starting from this point of agreement regarding students' performance, however, legal educators and students may start from positions of disconnect.<sup>234</sup> Students' initial concern when they receive low grades may not be how to improve their performance but, rather, why their grades do not reflect their performance as they perceive it to be. Thus, it might be particularly important for professors to explain to students how their performance did not satisfy their professors' expectations. These conversations might also require a discussion of students' perceptions of their performance in order to reconcile those perceptions with students' grades and their professors' feedback.

The data also indicate that students' reported enjoyment of their first year of law school may be related to their grades. Although the average response of students in each grade category to the items regarding law school enjoyment was over three,<sup>235</sup> a statistically significant difference was found between the mean responses to these items of students in the highest and lowest grade categories.<sup>236</sup> A statistically significant difference was not found between the responses of the positive and negative grade gap groups to these survey items, raising the possibility that students' actual law school grades might be a more salient factor in students' enjoyment of law school than students' grades relative to their expectations.<sup>237</sup> Perhaps this result is a function of the importance of grades to law students. At both the beginning and end of their first year

---

234. See Curcio, *Multiple Assessments*, *supra* note 7, at 168 (noting the difference between some students' assessment of their performance—"especially those who had not done well"—and their professor's assessment of their performance). Curcio notes that giving students the opportunity to assess their own performance had certain drawbacks for some students because this self-assessment "led [these students] to believe that they did a much better job than I thought they did. For these students, getting their grades was frustrating and disappointing." *Id.* at 169. Curcio has identified the area of law students' self-assessments relative to their professors' assessments as an area that is "ripe for empirical study." *Id.* at 168.

235. The two items regarding law school enjoyment were "I have enjoyed my first year of law school," and "I enjoy studying law in law school."

236. See *infra* Table 16. In addition, for one of the enjoyment-related survey items ("I have enjoyed my first year of law school"), the difference between the mean responses of students in the high and middle grade categories approached statistical significance at the .05 level. See *infra* Table 16. Previous research has found a relationship between students' grades in a course and students' "course enjoyment." Remedios et al., *supra* note 50, at 365.

237. Both the grade gap and grade category analyses found statistically significant differences regarding students' attitudes toward whether their first year of law school was interesting. See *infra* Tables 15–16.

of law school, a large majority of all respondents agreed that getting good grades was important to them.<sup>238</sup>

The fact that the data suggest a relationship between students' grades and their reported enjoyment of law school does not necessarily mean that students' grades *cause* their level of enjoyment of law school, nor does it mean that their level of enjoyment causes their grades.<sup>239</sup> Further research is needed to explore the nature of this relationship. The relationship itself, however, suggests certain considerations for legal educators.

First, the importance of grades to law students should not be underestimated. The data suggest that students care about their grades, and that there may be not only a relationship between students' grades and students' attitudes regarding both their grades and law school grading, but also a relationship between students' grades and students' attitudes regarding some other aspects of their law school experience.<sup>240</sup>

Second, given the importance of grades to law students, legal educators should consider ways to prepare students for their grades and to intervene with students after they receive their grades.<sup>241</sup> For example, shortly before and after the release of grades, faculty members could speak with their students about their own grading practices and the grading standards of the law school, as well as the fact that students' grades may be lower than students expected or than students received in college.<sup>242</sup> Faculty members could also explain that grades that students might have considered to be "bad" grades in college are not necessarily

---

238. See *infra* Tables 2 & 3.

239. See Remedios et al., *supra* note 50, at 363–64 (finding a "significant positive correlation between final grade and course enjoyment," although additional statistical analysis indicated that course grade in and of itself "was not a significant predictor" of "course enjoyment").

240. *But see* Pipkin, *supra* note 47, at 1180 (finding, in general, a lack of statistically significant correlations between second- and third-year law students' grades and their attitudes regarding law school). For all survey items where a statistically significant difference was found between the responses of students in different grade categories, there was a statistically significant difference between the responses of students in the high and low grade categories. On the other hand, there were not statistically significant differences between the responses of students in the middle and low grade categories to the items that did not directly pertain to either the use of curved grading or the students' own grades. Future research could further investigate the relationship between students' grades and their perceptions of their law school experience. Regardless, the findings from this research project suggest that particular groups of students within the same law school may have different perspectives about their law school experience. *Cf.* Mitu Gulati et al., *The Happy Charade: An Empirical Examination of the Third Year of Law School*, 51 J. LEGAL EDUC. 235, 254–56 (2001) (noting that a subset of law students may have particularly negative perceptions of their law school experience).

241. See *generally* Morris, *supra* note 10 (discussing how the author prepares his first-year law students for their grades).

242. See *id.* at 461 (noting that the author addresses students' grades on the last day of the course).

considered to be “bad” grades in law school. In addition, faculty members could encourage students to take advantage of the resources offered by their law school—for example, meeting with their professors and academic support professionals—to help students understand the basis for their grades and how students could improve. It might also be useful to reinforce to students both that they should not define themselves solely by their grades<sup>243</sup> and that their professors and administrators think of them as whole people, not as people defined solely by their grades. Law professors and administrators could tell students that while grades may matter to employers, employers look at more than a student’s transcript,<sup>244</sup> and that graduates who were not at the top of their law school class have gone on to become successful lawyers.<sup>245</sup> The data suggest that the goal of this preparation and intervention should not necessarily be to lower students’ expectations for their grades but rather to give students strategies for dealing with their received grades in constructive ways.<sup>246</sup>

Third, legal educators could also encourage students to find value in law school apart from their grades.<sup>247</sup> Legal educators should try to facilitate students’ enthusiasm for law school so that the reward of law school does not rest with their grades.<sup>248</sup>

---

243. See *id.* at 485 (noting that the author tries to impart to students that students “who are disappointed in their exam grades need not lose self respect”).

244. See Chris Mondics, *Law Firms Are Looking for More than Good Grades from New Hires*, PHILA. INQUIRER, Nov. 8, 2010, [http://www.philly.com/inquirer/business/20101108\\_Law\\_firms\\_are\\_looking\\_for\\_more\\_than\\_good\\_grades\\_from\\_new\\_hires.html](http://www.philly.com/inquirer/business/20101108_Law_firms_are_looking_for_more_than_good_grades_from_new_hires.html); see also Nickles, *supra* note 8, at 478 (“[L]aw schools either should redefine what is meant by ‘good’ grades or should downgrade their external importance to students and employers.”). Nickles also recommends that law schools give students opportunities to participate in activities that are not determined by students’ grades alone, so students have other ways in which to distinguish themselves to employers. Nickles, *supra* note 8, at 478.

245. I am grateful to Alex Geisinger for raising this point.

246. Another possibility related to students’ grades is for law schools to modify their grading standards so that more students receive higher grades. While some law schools have raised their grades (largely, it would seem, to help their students in the competitive job market), giving students higher grades may not be a palatable option for many law schools. See Catherine Rampell, *In Law Schools, Grades Go Up, Just Like That*, N.Y. TIMES, June 21, 2010, at A1; see also Catherine Rampell, *Law Schools Visit Lake Wobegon*, N.Y. TIMES, June 22, 2010, <http://economix.blogs.nytimes.com/2010/06/22/law-schools-visit-lake-wobegone/>. On the other hand, law schools could consider whether their grading standards result in students receiving grades that are an accurate reflection of their performance and whether there are ways in which grading standards could be improved.

247. See Morris, *supra* note 10, at 488 (noting that the author encourages students to “rededicat[e] themselves to becoming the best lawyers they are capable of becoming,” rather than becoming demoralized after receiving their grades).

248. See Glesner Fines, *supra* note 4, at 885 (noting that too much emphasis on grades undermines students’ engagement with learning law for its own sake and cautioning that “to the extent we create an academic climate in which the external reward for learning (i.e., grades) is overemphasized at the expense of intrinsic reward, we undermine long-term, deep learning”); Zimmerman, *An Inter-*

Although the data suggest relationships between law students' grades and their attitudes regarding some aspects of their past law school experiences, the data also suggest that relationships might not exist between law students' grades and their attitudes regarding their future in law school or in the legal profession.<sup>249</sup> In this respect, the data from this research are as interesting for the relationships that were not found as for the relationships that were found.<sup>250</sup> Specifically, a statistically significant difference was not found for the responses of students to the survey items regarding looking forward to returning to law school and continuing to study law in law school. A statistically significant difference was also not found for the responses to the survey item regarding students' being glad that they decided to attend law school.<sup>251</sup> In addition, a statistically significant difference was not found for the survey item regarding students' anticipated enjoyment of being lawyers. Thus, students' grades might not be as salient with respect to students' overall satisfaction with their law school attendance or anticipated satisfaction with their future professional life.<sup>252</sup>

The present research did not investigate the reasons underlying students' responses, but it is possible that the lack of a relationship between students' grades and their responses to the forward-looking questions is a

---

*disciplinary Framework*, *supra* note 90, at 853 (recommending that “one of the priorities of legal education should be to cultivate law students’ enthusiasm for law study”); *see also* Glesner, *supra* note 41, at 654 (noting that faculty can help students put the importance of grades in perspective and understand that other factors besides grades are relevant to success in law practice). The data from this research project suggest that grades may be somewhat less important to law students at the end of the first year of law school than at the beginning of the first year, although grades are still important to law students at the end of the first year. *See supra* Part III.B.4. The decline in the importance of grades to law students might be constructive if students are valuing other aspects of their law school experience. Future research could explore this issue, although there is some existing research that suggests that law students might find less value generally after their first year. *See* Sheldon & Krieger, *Does Legal Education*, *supra* note 45, at 274 (finding a decrease in valuing from the spring of the first year to the fall of the second year of law school).

249. Ryan Fackler, one of my research assistants, first articulated this distinction, calling it “retrospective” versus “prospective.”

250. A prior researcher found a lack of statistically significant correlations between students' law school grades and attitudes regarding legal education and noted that this finding was “remarkable.” Pipkin, *supra* note 47, at 1180. These findings paint a somewhat different picture than that presented in some of the literature regarding law school grading. *See, e.g.*, Henderson, *supra* note 2, at 415 (“For most [law students], the curve dampens enthusiasm not only for law school, but, more seriously, for the law as well.”).

251. On the one hand, this item assesses students' satisfaction with their past decision to attend law school. On the other hand, this item could also be seen as assessing students' satisfaction with their ongoing attendance at law school.

252. While prior researchers have found relationships between grades and “course enjoyment,” the researchers note that grades may account for a “relatively small” amount of the variance in students' reported enjoyment. Remedios et al., *supra* note 50, at 365; *see also* Remedios & Lieberman, *supra* note 51, at 109, 111.

further reflection of their optimism. Students—regardless of their actual grades—may anticipate future success. In addition, there may be a distinction between students' enjoyment of law school, and both students' satisfaction with their decision to attend law school and their expected enjoyment of being lawyers. Students who feel that their law school experience was not necessarily enjoyable (and who did not receive high grades) might nonetheless still be satisfied with their decision to attend law school and anticipate enjoying their future as lawyers.<sup>253</sup>

#### V. CONCLUSION

The data from this research project paint a nuanced picture of law students and grades. While some law students disagree with curved grading, other students welcome its use in law school. While many law students tend to overestimate their expected grades, the fact that students receive grades that do not live up to their expectations may not necessarily relate to students' attitudes about their law school experience. While there may be a relationship between students' grades and their attitudes regarding certain aspects of their law school experience, a relationship might not exist between students' grades and their overall satisfaction with their decision to attend law school or their anticipated enjoyment of being lawyers. As discussed in the previous Part, data regarding students' attitudes toward grading and grade expectations can inform how law schools think about their grading practices and how they prepare students for those practices.<sup>254</sup>

The data presented in this Article shed light on law students and grading. This research also highlights the need for continued empirical research regarding law students and grading, as well as regarding law students and other aspects of legal education. Law schools should investigate their own students' grade expectations and attitudes toward grading. Law schools could use this information as they develop ways to help their own students receive and interpret their grades. Law schools could also use this information to inform discussions regarding their own grading practices.

---

253. Although the average responses of students in the middle and low grade categories were lower than the average response of students in the high grade category for the law school enjoyment items, the average responses of students in all grade categories were above three.

254. Other authors and I have previously noted the value of learning about students' perspectives, identifying various ways in which this knowledge can inform pedagogy. Paul Sander et al., *University Students' Expectations of Teaching*, 25 *STUD. HIGHER EDUC.* 309, 310, 322 (2000); Zimmerman, *What Do Law Students Want?*, *supra* note 8; *see also* Nickles, *supra* note 8, at 481 (suggesting the value of learning students' perspectives regarding "examining and grading procedures").

Research regarding law students and grades at other schools would be valuable to determine whether the results found in this research project would be replicated at other law schools. One of the limitations of this research is that it was conducted at a single law school. Although the students at this law school are comparable to students at other schools, it would be useful to conduct similar research at other law schools with both similar and different populations of law students.<sup>255</sup> Research at schools with different grading schemes would be useful to see whether there was any relationship between the grading scheme used at a school and students' attitudes toward their law school grades and other aspects of their law school experience.<sup>256</sup>

Continued empirical research with law students is crucial to ensure that decisions regarding legal education can be informed by evidence.<sup>257</sup> Evidence-based legal education would take existing evidence into account in making decisions about pedagogy and curriculum. Evidence-based legal education would encourage empirical research regarding legal education because evidence-based legal education necessarily requires the existence of evidence.<sup>258</sup> Empirical research regarding law students' perspectives is one type of evidence that can inform legal education. Empirical research is particularly important because data may provide insights that are counterintuitive. In addition, data may help determine which among alternative narratives are most salient or suggest narratives that have not already been identified. In the case of this research project, the data regarding students' attitudes and expectations toward law school grading contribute to an understanding of the complex relationships between law students' grades and their attitudes regarding

---

255. Another limitation of this research is that the sample sizes of students in the different grade gap and grade categories were not equivalent. If possible, it would be useful to have data on more students in the positive grade gap category and students in the high and, even more so, the low grade category.

256. See Sheldon & Krieger, *Understanding the Negative Effects*, *supra* note 45, at 895 (noting that future research "might focus on schools with . . . varying grading systems").

257. See Zimmerman, *An Interdisciplinary Framework*, *supra* note 90, at 916–17 & n.315; see also Debra Moss Curtis & David M. Moss, *Curriculum Mapping: Bringing Evidence-Based Frameworks to Legal Education*, 34 NOVA L. REV. 473, 486–87 (2010) ("advocating and detailing for others, a process for schools to use an evidence[-]based analysis of a curriculum").

258. The concept of evidence-based practice is most common in the medical professions, although it has been adopted by other professions as well. See David L. Sackett et al., *Evidence Based Medicine: What It Is and What It Isn't*, 312 BMJ 71, 71 (1996). Sackett and his colleagues define evidence-based medicine as "the conscientious, explicit, and judicious use of current best evidence in making decisions about the care of individual patients. The practice of evidence based medicine means integrating individual clinical expertise with the best available external clinical evidence from systematic research." *Id.*; see also D. KIRK HAMILTON & DAVID H. WATKINS, EVIDENCE-BASED DESIGN FOR MULTIPLE BUILDING TYPES 9 (2009) (defining "evidence-based design" as used in architecture). I first learned of "evidence-based design" from Pamela Zimmerman.

their law school experience. The data also highlight the need for further research on this important topic.

## APPENDIX

Table 1. Biographical information about survey respondents.

		Year 1		Year 2		Year 3	
		Entrance	Exit	Entrance	Exit	Entrance	Exit
Mean Undergrad GPA		3.44	3.37	3.44	3.42	3.49	3.46
Median Undergrad GPA		3.42	3.40	3.50	3.50	3.50	3.50
N for Undergrad GPA <sup>259</sup>		93	91	101	100	99	123
Mean LSAT		158.48	N/A	158.58	158.28	159.20	159.90
Median LSAT		159	N/A	159	159	160	160
N for LSAT		85	N/A	97	94	98	110
Age	25 and under	61.29%	62.14%	74.04%	71.17%	73.79%	68.75%
	26 and over	38.71%	37.86%	25.96%	28.83%	26.21%	31.25%
N for Age		93	103	104	111	103	128
Sex	Female	46.24%	44.66%	52.88%	54.13%	47.57%	45.31%
	Male	53.76%	55.34%	47.12%	45.87%	52.43%	54.69%
N for Sex		93	103	104	109	103	128
N <sup>260</sup>		95	103	104	112	103	132

259. The numbers in this row represent the number of respondents with coded responses to this particular survey item (in this case, the survey item asking for respondents' undergraduate grade point average).

260. The numbers in this row represent the total number of respondents to each survey. The number of respondents who answered a particular survey item may be less than this number because a respondent may not have responded to a particular survey item or a respondent's response to a particular survey item may not have been able to be coded.



Table 2. It is important to me to get good grades during my first year of law school. (Entrance Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	82	86.32	88	84.62	87	85.29
4	11	11.58	11	10.58	14	13.73
3	2	2.11	4	3.85	1	0.98
2			1	0.96		
1						
N	95		104		102	
Mean	4.84		4.79		4.84	
SD <sup>261</sup>	0.42		0.55		0.39	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 3. It is important to me to get good grades in law school. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	55	53.40	59	52.68	64	48.48
4	32	31.07	29	25.89	47	35.61
3.5			1	0.89		
3	10	9.71	17	15.18	15	11.36
2	4	3.88	4	3.57	4	3.03
1	2	1.94	2	1.79	2	1.52
N	103		112		132	
Mean	4.30		4.25		4.27	
SD	0.94		0.97		0.89	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

261. "SD" stands for "standard deviation." The standard deviation is a measure of how much the responses vary from the mean and indicates how much variation there is among the responses (relative to the mean). HURLBURT, *supra* note 136, at 80-81.

Table 4. I know what it means to be graded “on a curve.”  
(Entrance Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	54	56.84	51	49.04	55	53.40
4	27	28.42	26	25.00	26	25.24
3	7	7.37	16	15.38	15	14.56
2	4	4.21	9	8.65	4	3.88
1	3	3.16	2	1.92	3	2.91
N	95		104		103	
Mean	4.32		4.11		4.22	
SD	1.00		1.08		1.03	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 5. Law school courses should be graded on a curve.<sup>262</sup>  
(Entrance Survey)

	Year 3	
	Count	Percent
5	15	14.85
4	20	19.80
3	35	34.65
2	21	20.79
1	10	9.90
N	101	
Mean	3.09	
SD	1.18	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

262. This item was included on the entrance survey for only the third survey year. This item was not included on the entrance surveys for the first and second survey years.

Table 6. Law school courses should be graded on a curve.  
(Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	15	14.56	21	18.75	19	14.62
4	22	21.36	19	16.96	32	24.62
3	30	29.13	33	29.46	25	19.23
2.5	1	0.97				
2	11	10.68	10	8.93	18	13.85
1	24	23.30	29	25.89	36	27.69
N	103		112		130	
Mean	2.93		2.94		2.85	
SD	1.36		1.43		1.44	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 7. Law School Grades Compared to College Grades.  
(Entrance Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
Better	42	44.21	44	42.31	42	41.18
About the Same	39	41.05	45	43.27	45	44.12
Worse	14	14.74	15	14.42	15	14.71
N	95		104		102	

Table 8. Law School Grades Compared to College Grades. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
Better	17	16.83	19	16.96	17	13.08
About the Same	27	26.73	31	27.68	28	21.54
Worse	57	56.44	62	55.36	85	65.38
N	101		112		130	

Table 9. Expected First Year Law School Grade Point Average.  
(Entrance Survey)

	Year 1	Year 2	Year 3
Mean	3.38	3.35	3.39
Median	3.50	3.40	3.50
Mode	3.50	3.50	3.50
Highest	4.00	4.00	4.00
Lowest	2.50	2.50	2.67
SD	0.34	0.33	0.30
N	85	92	91

Table 10. Reported First Year Law School Grade Point Average.  
(Exit Survey)

	Year 1	Year 2	Year 3
Mean	3.06	3.01	3.05
Median	3.06	3.04	3.01
Mode	3.20	2.90/3.20	3.00
Highest	3.92	3.85	3.65
Lowest	2.10	1.50	1.80
SD	0.36	0.40	0.34
N	98	96	118

Table 11. I have gotten good grades during my first year of law school. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	16	15.53	21	18.92	18	13.64
4	37	35.92	39	35.14	41	31.06
3.5	1	0.97				
3	30	29.13	28	25.23	50	37.88
2	13	12.62	13	11.71	16	12.12
1	6	5.83	10	9.01	7	5.30
N	103		111		132	
Mean	3.43		3.43		3.36	
SD	1.08		1.19		1.03	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 12. I have been satisfied with my grades during my first year of law school. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	12	11.65	14	12.50	13	9.85
4	25	24.27	31	27.68	45	34.09
3	37	35.92	32	28.57	41	31.06
2	19	18.45	22	19.64	16	12.12
1	10	9.71	13	11.61	17	12.88
N	103		112		132	
Mean	3.10		3.10		3.16	
SD	1.13		1.20		1.16	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 13. In general, I have received grades during my first year of law school that I felt reflected my judgment as to the quality of my work. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	11	10.68	11	9.82	17	13.08
4	30	29.13	39	34.82	42	32.31
3	24	23.30	34	30.36	33	25.38
2.5	1	0.97				
2	22	21.36	21	18.75	29	22.31
1	15	14.56	7	6.25	9	6.92
N	103		112		130	
Mean	3.00		3.23		3.22	
SD	1.24		1.07		1.14	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 14. In general, I received grades in college that I felt reflected my judgment as to the quality of my work. (Exit Survey)

	Year 1		Year 2		Year 3	
	Count	Percent	Count	Percent	Count	Percent
5	32	31.07	42	37.84	50	38.46
4	32	31.07	34	30.63	43	33.08
3	24	23.30	22	19.82	22	16.92
2	8	7.77	10	9.01	9	6.92
1	7	6.80	3	2.70	6	4.62
N	103		111		130	
Mean	3.72		3.92		3.94	
SD	1.18		1.09		1.12	

5 = Strongly Agree; 3 = Neither Agree Nor Disagree; 1 = Strongly Disagree

Table 15. Comparisons Between Positive and Negative Grade Gaps

	Positive Grade Gap		Negative Grade Gap		T-test p-value
	Mean	N	Mean	N	
Prepared	4.01	77	3.81	141	.053
Enjoyed	3.77	77	3.59	141	.251
Interesting	4.39	77	4.13	141	.035
Enjoy Studying <sup>263</sup>	3.78	54	3.63	92	.396
Looking Forward to Continue <sup>264</sup>	4.11	54	3.84	92	.099
Agree with Curve	3.04	77	2.86	140	.344
Looking Forward to Return <sup>265</sup>	4.06	54	3.77	92	.101
Grades Reflected Judgment	3.81	77	2.94	140	< .001
Satisfied with Grades	3.94	77	2.81	141	< .001
Gotten Good Grades	4.21	77	3.16	141	< .001
Will Enjoy Lawyer	3.79	77	3.75	141	.756
Glad that Decided to Attend Law School <sup>266</sup>	4.17	54	3.97	92	.234

N = Number of students in grade gap category with coded response to survey item.

The survey items listed in the left-hand column can be found in their entirety *supra* note 153.

263. This item was included on the exit surveys for years two and three, but not year one.

264. This item was included on the exit surveys for years two and three, but not year one.

265. This item was included on the exit surveys for years two and three, but not year one.

266. This item was included on the exit surveys for years two and three, but not year one.

Table 16. Comparisons Between Grade Categories

	High GPA <sup>267</sup>		Middle GPA <sup>268</sup>		Low GPA <sup>269</sup>		ANOVA	Scheffé High with Middle	Scheffé High with Low	Scheffé Middle with Low
	Mean	N	Mean	N	Mean	N				
Prepared	4.04	50	3.85	147	3.71	21	.217			
Enjoyed	4.02	50	3.59	147	3.19	21	.007	.052	.013	.276
Interesting	4.48	50	4.18	147	3.90	21	.024	.105	.041	.406
Enjoy Studying	4.06	35	3.62	95	3.25	16	.016	.086	.028	.382
Looking Forward to Continue	4.17	35	3.86	95	3.88	16	.301			
Agree with Curve	3.06	50	2.98	147	2.15	20	.025	.934	.038	.035
Looking Forward to Return	4.14	35	3.77	95	3.94	16	.199			
Grades Reflected Judgment	4.00	49	3.16	147	2.10	21	< .001	< .001	< .001	< .001
Satisfied with Grades	4.12	50	3.12	147	1.67	21	< .001	< .001	< .001	< .001
Gotten Good Grades	4.58	50	3.37	147	2.10	21	< .001	< .001	< .001	< .001
Will Enjoy Lawyer	3.78	50	3.80	147	3.48	21	.308			
Glad that Decided to Attend Law School	4.23	35	3.97	95	4.06	16	.403			

N = Number of students in grade category with coded response to survey item.

The survey items listed in the left-hand column can be found in their entirety *supra* note 153.

267. Students in the "High GPA" category had a reported grade point average of 3.33 or above.

268. Students in the "Middle GPA" category had a reported grade point average below 3.33 and above 2.67.

269. Students in the "Low GPA" category had a reported grade point average of 2.67 or below.