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## U.S. News U.: or, The Fighting Volunteer Hurricanes

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# U.S. News U.: or, The Fighting Volunteer Hurricanes

R. Lawrence Dessem

A great deal of controversy, catcalling, and consternation has greeted the rankings of law schools by *U.S. News and World Report* each spring.<sup>1</sup> In their efforts to place higher in these rankings, law schools have engaged in massive public relations wars,<sup>2</sup> misrepresented data,<sup>3</sup> and done other bad and stupid things.<sup>4</sup>

None of this, however, has significantly affected the rating of many—or perhaps any—law schools. Such efforts are, in effect, simply tinkering around the edges of the rankings. Instead of fiddling with the particular rankings factors of existing law schools, I propose a new approach: the creation, from the ground up, of an entirely new law school designed to achieve the highest possible placement in the *U.S. News* listings.

For reasons that later will be explained (if you read that far), the new law school will be named U.S. News University—or U.S. News U., as it will be called in *U.S. News* surveys and promotional pieces. While it will have no actual athletic teams, the school's nom de sport will be the Fighting Volunteer Hurricanes. This name, too, will appear in the surveys and promotional material.

Here's the best part. More and more law schools in recent years have been—as they say—downsizing. They have done such a fine job of educating law students that they want to do less of it. The fact that a smaller student body might help them in the *U.S. News* rankings is, quite coincidentally, a nice

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1. See Terry Carter, *Rankled by the Rankings*, A.B.A. J., Mar. 1998, at 46.
2. See, e.g., R. Lawrence Dessem, *Letter to the Editor*, A.B.A. J., May 1998, at 10.
3. Elizabeth Amon, *How Many Teachers? Survey by U.S. News at Odds with ABA's, Nat'l L.J.*, May 31, 1999, at A12; *Disturbing Discrepancies*, *U.S. News & World Rep.*, Mar. 20, 1995, at 82 (29 law schools reported higher LSAT numbers to *U.S. News* than to the American Bar Association).
4. See generally Dale Whitman, *Doing the Right Thing*, AALS Newsletter, Apr. 2002, at 1.  
The history of student employment percentages reported to *U.S. News* is instructive (and discouraging). At one point *U.S. News* based its "graduates employed" percentages on the number of graduates who actually reported their employment status to their law schools. Because this created an incentive for law schools not to probe too aggressively for the employment status of some graduates, *U.S. News* established a presumption that only one-fourth of graduates not reporting their employment status are employed. See *Disturbing Discrepancies*, *supra* note 3, at 82.

additional benefit. In starting a new law school from scratch, there will be no need to downsize. Instead, the school can start with the optimal number of students for *U.S. News* rankings purposes: one.

Here's how it works. A single law student with a very high LSAT score and UGPA will be paid to attend U.S. News U.<sup>5</sup> An LSAT score of 172 and an undergraduate GPA of about 3.9 should do it.<sup>6</sup>

In addition to possessing those high admissions credentials, a student body of one will have wonderful advantages in other rankings categories. The major expense for the new law school will of course be its faculty. However, only one person need be hired, and our new law school will have the best student-faculty ratio (1:1) of any law school in America.

What about placement success? Isn't that also a factor in the *U.S. News* calculation? Indeed it is, and this is where the true beauty of our new law school is clearly apparent. Our single student will be paid to attend U.S. News University, which means that placement success both at graduation and nine months after graduation will be 100 percent.<sup>7</sup>

The above factors alone will give U.S. News U. quite a high standing in the law school rankings. But our new law school will also have to deal with those pesky reputational surveys that *U.S. News* sends to practicing attorneys, judges, and legal educators. Here's where the school's name and its sports moniker come into play.

The name of this new law school as it will appear on the *U.S. News* survey will be "U.S. News University (Fighting Volunteer Hurricanes)." Who can resist giving a high rating to U.S. News U. on a *U.S. News* survey? But if the name "U.S. News" doesn't do the trick, "Fighting Volunteer Hurricanes" cannot fail to impress, and respondents should rank the law school accordingly.<sup>8</sup>

The suggested annual budget for the new law school will be approximately \$250,000, itemized as follows:

Faculty	\$100,000
Student pay	\$100,000
Public relations	\$50,000

5. Forget scholarships. Universities have been paying student-athletes for many years. See, e.g. Murray Sperber, *Beer and Circus: How Big-Time College Sports Is Crippling Undergraduate Education* 29 (New York, 2000). Law schools increasingly offer generous scholarships to applicants who will help in the *U.S. News* rankings. Paying students to attend will enable our new law school to combine the worst features of both systems.
6. While *U.S. News* reports 25th to 75th percentile ranges, LSAT scores and UGPAs are what go into the rankings calculus. From the numbers reported in the 2002 *U.S. News* rankings, it appears that an LSAT score of 172 and a UGPA of 3.9 will give our new law school the best numbers in the country.
7. If *U.S. News* ever adds a category of employment nine months before graduation, our law school will be in great shape in that respect as well.
8. Another possible team name is the Runnin' Trojan Cornhuskers. The name, in fact, might change over time as different universities rise to national athletic prominence. To determine the combination of names that would capture the most votes in *U.S. News* and other rankings, some serious market studies probably should be done. One department of my own rankings consulting firm, lemmingstothesea.com, is equipped to do just this type of research, with teams of investigators standing ready to conduct focus group interviews at sports bars across the country.

Some may question the \$100,000 for total faculty expense—less than one might expect for our single professor's salary, benefits, travel, and the other assorted costs. Remember, though, that the real competition will be for our new law school's student slot, not for its faculty position. All we need is someone who can satisfy the ABA's definition of a full-time faculty member. Factors such as teaching, scholarship, service, or a clean felony record are not considered by *U.S. News*.

Student pay also could be problematic, because the school might ultimately expand to three students (only first-year students being counted in the *U.S. News* surveys). But even if the school expanded to three students, and student pay thus increased to \$300,000, the total cost of the law school would still be less than \$500,000—which is, I suspect, much less than at least some law school deans and university presidents would pay to become the top-ranked law school in the country.

No matter how tight the school's budget, its public relations expenditures must be maintained. Sentimental traditionalists may look back nostalgically to a time when law schools' reputations were based on the quality of their faculties and their graduates. Today, however, schools are shortsighted if they direct their resources toward educating students, supporting faculty, and serving the public, instead of the more important PR goal of convincing the world that they are doing great things.<sup>9</sup>

One final series of expenses for our new law school will be the consulting and miscellaneous startup fees that I expect to be paid on behalf of the new law school by its university. Following recent accounting trends, these can be off-the-books expenses that will not detract from the fiscal solvency of our new law school. Even with such expenses, U.S. News U. presents a great opportunity for an entrepreneurial university president, a bored law prof, or a fast-buck artist with some time on his hands. If this describes you, please give me a call. Don't delay. We've got to act fast, before *U.S. News* beats us to it.

9. The details of the public relations campaign for U.S. News U. have yet to be worked out. Existing law school viewbooks, Web sites, and other admissions materials contain great examples of the satisfied-student photos and testimonials that will be de rigueur for U.S. News U. publicity. If the student body of one presents a problem, perhaps different camera angles, soft-focus lenses, and assorted clothing and wigs can be used to create the illusion that there is more than one student in attendance.