

BATTLING BIASES

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AGENDA

- ▶ THE TECHNIQUE
- ▶ THE STUDY
- ▶ THE RESULTS
- ▶ BREAKOUT SESSION

THE TECHNIQUE



The beginning...

First, Understand the exam

- Acknowledge that bias exist.
- Realize you **can't** change the situation.
- **Don't fight the question or the law.**

Second, Understand yourself and apply objective logic

(1) Identify your biases (if any).

(2) Reading Comprehension. Search for **words or phrases** that eliminate ambiguity.

(3) Use **objective logic, the law, marking techniques, and IRAC** to find the best answer. DO NOT let ***subjective feelings*** impact your analysis.

(4) If you don't know the law, then use the **common sense of a "normal, average, American" person** to select the best answer.

THE STUDY

BATTLING BIASES: HOW CAN DIVERSE STUDENTS OVERCOME TEST BIAS ON THE MULTISTATE BAR EXAMINATION

18 U. Md. L.J. Race Relig. Gender & Class 31 (2018)

University of Maryland Journal of Race, Religion, Gender, and Class
Symposia, University of Maryland, Francis King Carey School of Law

Available at https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3205413

THE STUDY

- ▶ University of San Francisco, School of Law
- ▶ Logic for Lawyers, 2 units, CR/NCR
 - ▶ 1 hour and 50 minutes, once a week
- ▶ 3Ls only – Spring 2016 to Fall 2017 (4 semesters)
 - ▶ Spring 2018 not included

THE STUDY

WEEK #1
Entrance
Exam

One-hour
24 Released MBE QS
Open Book = Law Provided
MBE subjects only

One-hour
24 Released MBE QS
Open Book = Law Provided
MBE subjects only

WEEK #13
Exit
Exam

GOAL: Measure if the students' skills improved

THE STUDY

WEEK #1
Entrance
Exam

SUBSTANCE



SKILLS

WEEK #13
Exit
Exam

GOAL: Measure if the students' skills improved

THE STUDY

WEEK #1
Entrance
Exam

SUBSTANCE



SKILLS

WEEK #13
Exit
Exam



- Sample Approach and IRAC
- Speed Reading and Timing
- Reading Comprehension and Markings
- Incorrect Answers and Modifiers
- Journaling and Attack Plans



WEEK #6
Learn Technique



WEEK #9 or #10
Retention Exam

One-hour
24 Released MBE QS
Closed book
Law from homework

THE RESULTS

Semester	# of Students	Average Diagnostic Score	Average Exit Score	Average Increase	High and Lows for Increases
Fall 2017	25	48.0%	66.1%	+16.1%	High: +55% Low: +4%
Spring 2017	20	60.4%	80.5%	+20.1%	High: +45% Low: +8%
Fall 2016	20	50.4%	62.7%	+15.4%	High: +42% Low: +5%
Spring 2016	25	60.0%	81.2%	+21.2%	High: +46% Low: 0.5%

90 students

54.7%

72.63%

18.2%

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Spring 2016	25	60.0%	81.2%	+21.2%	High: +46% Low: 0.5%

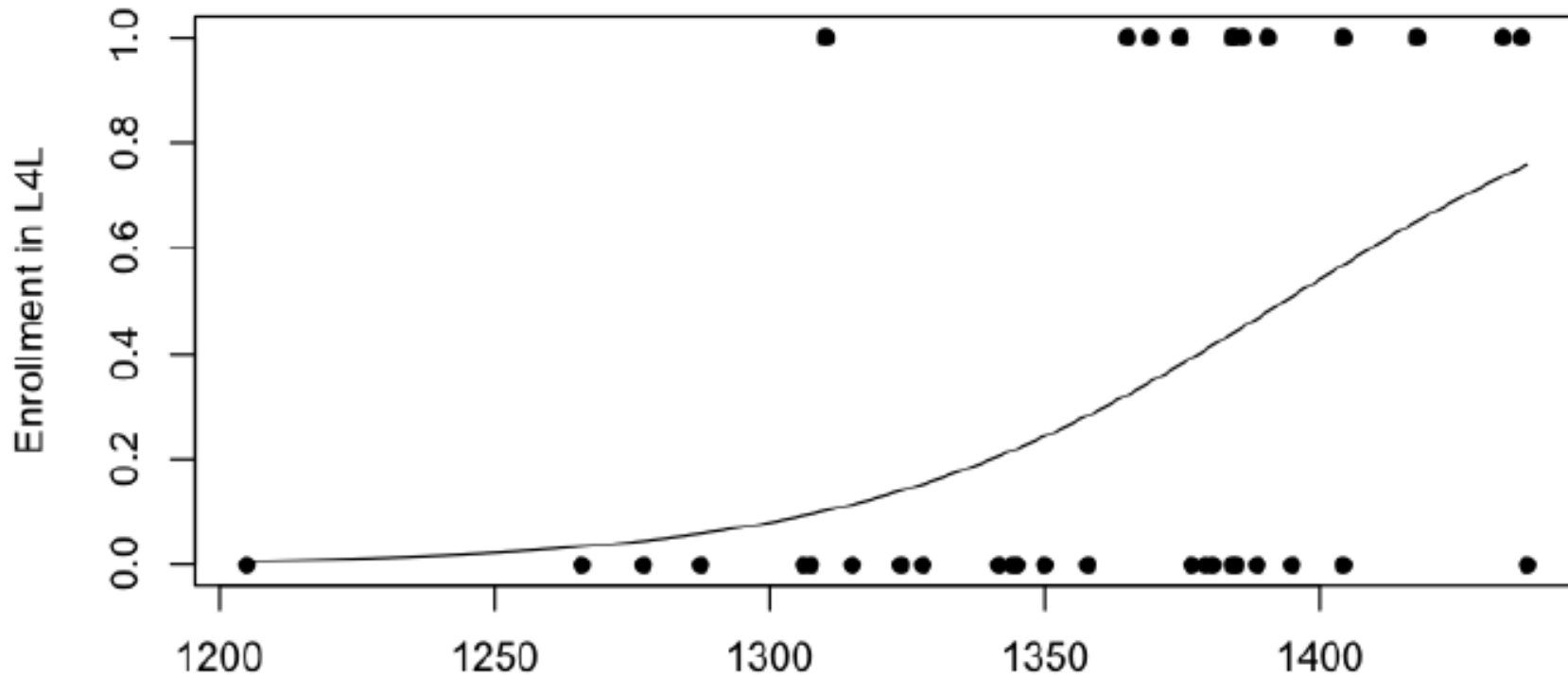
90 students

54.7%

72.63%

18.2%

THE RESULTS



← Took Logic

- 78% outperformed LSATs (14 out of 18)

- Logic students were more likely to have a higher total score

← Did not take Logic

Rank 1
Not significant

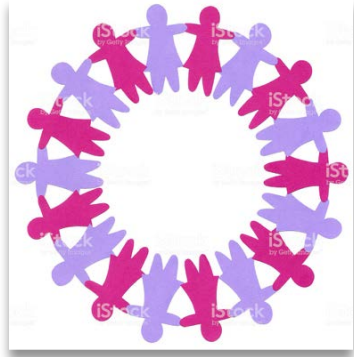
Rank 2
+77.70 points

Rank 3
+61.05 points

Rank 4
Not significant

Rank 5
Not significant

BREAKOUT SESSION



Qualitative Data

- Student testimonials
- Hands-on experience
- Using data to make good programmatic decisions
- Working w/ the administration
- Answer Qs about article



Measuring Skills on Essay Exams

- Legal Analysis of Evidence at UC Irvine
- Entrance and Exit Exam that measures their improved essay-taking skills



Share Your Ideas

- What have you done? What worked? What didn't?
- How do you measure your success?
- What are we missing?
- What role do psychological facts play (e.g. grit, anxiety)?



QUESTIONS?

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