

American Bar Association Introduces Pilot Program for Test-Optional Law School Admissions



In a transformative move, the American Bar Association (ABA) has opened a pathway allowing law schools to experiment with test-optional admissions, bypassing the requirement for the Law School Admission Test (LSAT) or other standardized exams for up to 100% of incoming students. This newly approved variance process, voted on by the ABA's Council of the Section of Legal Education and Admission to the Bar, offers schools a three- to five-year window to explore admissions approaches that don't hinge on standardized testing.

Easing Admissions Barriers in Legal Education

The decision comes after years of debate over the value and limitations of standardized testing in law school admissions. Traditionally, the ABA has required applicants to submit an LSAT or equivalent "valid and reliable" test score. This variance, however, signals a shift toward allowing individual law schools greater freedom to innovate within their admissions processes. The council's decision highlights the possibility of a more flexible, accessible pathway to law school while gathering data on how test-optional admissions may impact diversity, accessibility, and student outcomes.

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In response to recent debates, the ABA previously proposed a complete removal of the standardized test requirement, noting that no other accrediting body for professional schools mandates standardized exams. However, the House of Delegates voted down that proposal in early 2023 after concerns arose about the potential effects on admissions practices, particularly for underrepresented students. Many law deans argued that eliminating the LSAT would lead schools to weigh subjective factors like undergraduate college reputation more heavily, which could negatively impact applicants from less prestigious institutions.

Diversity and Cost Benefits Drive Test-Optional Support

Supporters of the new variance point out that the LSAT can create economic and racial disparities in admissions. A 2019 study found that the average LSAT score for Black test-takers was 142 out of 180, significantly lower than the average scores for white and Asian test-takers, who averaged around 153. By allowing schools to adopt test-optional policies, the ABA hopes to open doors for more applicants from diverse backgrounds and reduce the financial burden of LSAT preparation and testing fees.

The Law School Admission Council (LSAC), the organization behind the LSAT, has consistently defended the test's role in admissions, attributing racial score gaps to systemic educational inequalities rather than bias within the test itself. Nonetheless, LSAC has expressed cautious support for controlled experimentation with test-optional admissions as long as it remains a "responsible" approach to expanding access.

Compromise Solution: A Pilot for Controlled Experimentation

Following the House of Delegates' rejection of the full removal of test requirements, the ABA council established a working group to design a compromise approach. Chaired by Beto Juárez, dean of Nova Southeastern University Law, the working group developed the variance pilot as a way for law schools to experiment under close monitoring. Schools approved for the variance will provide the ABA with data on how test-optional admissions affect applicant demographics, bar exam pass rates, and overall law school performance.

By partnering with the AccessLex Institute, the ABA will evaluate the variance pilot program's impacts, assessing whether test-optional policies boost diversity while maintaining or improving academic outcomes.

Expansion of Current Admissions Flexibility

Now, ABA rules allow law schools to admit up to 10% of each class without requiring an LSAT or other test score. However, only a handful of schools have utilized this option. The new variance option dramatically expands the scale of experimentation by allowing law schools to admit up to 100% of their incoming students under a test-optional model. This approach gives institutions the flexibility to take a holistic approach to admissions, making law schools potentially more accessible to students who may otherwise struggle with standardized testing.

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Gathering Data for Future Policy Decisions

By allowing this pilot program, the ABA council is gathering evidence on whether test-optional policies can broaden access to legal education while maintaining academic standards. As data emerges on admissions, demographics, and bar exam outcomes, the ABA will be better equipped to assess the long-term viability of test-optional admissions for the legal profession.

This variance program is a step toward rethinking law school admissions and gathering valuable insights into the role standardized tests should play in legal education. If the results are positive, the ABA could be paving the way for lasting reforms in legal education and admissions policies.

