

UVA LAW | Admissible with Spivey_mixdown

MIKE SPIVEY: So if I were applying to five law schools and we're admitted to all five, which wouldn't happen for me, I'm pretty sure my application would be pretty strong. I'd modestly say my application would be very strong.

NATALIE Don't sell yourself short, Mike.

BLAZER:

MIKE SPIVEY: OK, my application would be based on 26 years of doing admissions, and I think would be dry.

NATALIE This is *Admissible*. I'm Natalie Blazer, dean of admissions at UVA Law. I'm so excited for today's show because

BLAZER: my guest has actually had me on his podcast before at least once. I think maybe twice. And when I decided I wanted to do a show about the latest *US News and World Report* rankings, I knew there was only one person to call, Mike Spivey of The Spivey Consulting Group. Thank you so much for coming on the show, Mike.

MIKE SPIVEY: Thanks for having me. Yeah, we have done this twice on our end, so it's good to see you on your end.

NATALIE Yeah. So Mike, you should know, you're actually the first guest to ever come on the show, who is not technically
BLAZER: a member of the UVA Law community. So I hope--

MIKE SPIVEY: I'm honored.

NATALIE --that you feel honored. I feel that you are a member of the greater law school admissions community. So--

BLAZER:

MIKE SPIVEY: I think some people would agree and some would maybe disagree. I feel a part of not just that, but-- I've been to UVA so many times. I've been to Charlottesville. Anna Hicks-Jaco, the president of our firm, went to UVA on a Dillard.

NATALIE Right? Yeah, so the--

BLAZER:

MIKE SPIVEY: A deep connection.

NATALIE I love it. I love it. Well today, we're here to talk about the 2024 *US News and World Report* rankings which were

BLAZER: just released publicly on Tuesday of this week. And of course, because this is a law school admissions podcast, even though the *US News* ranks many different industries, we're going to focus entirely on law school rankings. So I want to start, Mike, with just a lay of the land. A little bit of background, context, *US News* is certainly not the only rankings system, but for purposes of law schools, it seems to be the most prominent. So can you tell us just like in a nutshell, why is that? How did it get this role?

MIKE SPIVEY: Yeah. Yeah, you ask a good question. Why is it that in business school rankings, you have all kinds of *Fortune* and *Business Weekly*, *Forbes*. And I think that's good for the consumer market. You have this diffuse ranking system. Yet in the law school arena, you have *US News* and essentially no one else.

I've thought long and hard about this. My best guess is the law school and legal community seem to be even more hard wired towards attribute-based esteem and rankings. If you think about law firms which are ranked, if you think about big law which prestige matters a lot, your clients want to see that you went to a highly ranked school. The clients care.

NATALIE Yeah.

BLAZER:

MIKE SPIVEY: So it's to the advantage of the legal to need to focus on one ranking system versus many. There's a secondary part too. Before *US News* had prominence, there was something called the *Gourman Report*. And if you *US News* sounds bad, and there are many problems with the *US News* rankings, the *Gourman Report* was a thousand times worse. I'll give you a humorous example. They had four categories. They had admissions, faculty, assessment, and outcomes. This is where it gets hilarious. If UVA was ranked fourth, you would be fourth in admissions, fourth in assessment, fourth in outcomes.

NATALIE Oh, my gosh.

BLAZER:

MIKE SPIVEY: And if Vanderbilt were 16th, they would be 16, 16, 16, 16. So it wasn't even scientific.

NATALIE Right, right. So we're going to get into a little bit of *US News* methodology and how all that works in a little bit. So
BLAZER: you kind of touched on this about why rankings in general, just have a hold on us. It feels like for so long, we have just been beholden to specifically *US News*, but really, ranking systems in general.

MIKE SPIVEY: Yeah.

NATALIE Why do you think that is?

BLAZER:

MIKE SPIVEY: Well, I've podcasted on this, and I talked to numerous psychologists about some of these things. I think there's evolutionary reasons. So we are stimulated by pixels, information, data in the millions every second. And the human mind needs a way to drown out most of that noise. And what rankings does is it not only drowns out that noise, but it puts things even nicer for our Homo sapien brains of 300,000 years of evolution into an ordinarily ranked system.

So it's even more than drowning out noise. It's making things even easier. So that's number one. Number two is society today-- a lot of our esteem doesn't come unconditionally from ourselves. It comes from performance. Did I win the race? Did I get an A-plus on the test. If you're a law school dean, did my school go up in the rankings? It comes from other-based esteem. Did that person-- did Natalie smile at me? And it comes from the most nefarious, attribute-based esteem. Did I go to Harvard Law School? Did I go to UVA Law School?

NATALIE Right.

BLAZER:

MIKE SPIVEY: If I went to UVA Law School, I must have esteem. So what you would want as a human is to say, I'm here, I belong, I matter. No better than Natalie, no worse than Natalie, but I belong. That's unconditional self esteem, but the way-- you couldn't build a worse society in a lab if you tried to direct us towards those other external forces. *US News* rankings are external forces.

NATALIE Mm-hmm, so true. OK, so before we dive into this year's list, this year's ranking, I'd love just for you to provide a
BLAZER: little bit of context and history regarding what happened last year when the school's, quote unquote, "boycotted" the rankings. How did that start? Where did that go? Did that change anything? Just give us a little history.

MIKE SPIVEY: Yeah, I liked that you put the word "boycott" in quotes. I don't particularly like the word "boycott" because Harvard and Yale Law School, the two schools, reverse order, Yale and Harvard that first last year boycotted, worn outside, not showing up to work with picket signs. What they said is, we're not going to submit you the unaudited third-party data. Go ahead, grab all the public data. We're not going to send data. That had happened in previous years.

In previous years, one or two schools usually ranked 70 or 115, would say this is ridiculous. We're just not going to give you the expenditures per student data you're asking for because it's not even equalized across schools. And the *US News* had a formula where they would take the standard deviation or whatever, and they would fill in the blanks for those one or two schools, which usually, actually penalizes schools a little bit. They couldn't do it when Yale first announced the same day Harvard announced. And then when 63 schools said they weren't submitting data, they basically were in a bind.

So they had to say, all right, if we're not getting 63 schools' private data that we never audited, we never looked at, and that was incredibly problematic, by the way, which is why I believe the-- well, I'll say boycott-- why the boycott happened, because you're getting this data where one school could report expenditures per student wildly different than the playing field of other schools. Ridiculous. It was ridiculous. So now 75% of the data comes from 509's or publicly available data. And the other 25 is surveys, which are very stable. And the surveys are going out to other people. You can't really gamify the surveys.

NATALIE BLAZER: Right. So the 509's for folks who might not know, that's the American Bar Association. All of the ABA accredited schools, we have to submit data every year to the ABA in order to remain accredited. And that all gets published in what's called a 509 report. And we have to have that prominently displayed on our websites.

And so, right, the *US News* basically said fine, you're not going to provide us your data, we're still going to rank you, right? It's not that the rankings are going away. We're just going to use the publicly available data. So there's really-- even if the schools are opting out and saying we disagree with your methodology, with your processes, we're still being ranked. The rankings are still going to exist.

MIKE SPIVEY: Right. There's no way *US News* is going to not rank schools just because schools say we're not submitting our data. They could rank schools based on anything they want, and so can you and I. So yeah, schools are always going to be ranked. We talked about the reason why, but they just had to rely on publicly available data versus school submitted data. That's a good change.

NATALIE BLAZER: I agree. And so what--

MIKE SPIVEY: I would know for your school, once they started relying on public available data, you went up.

NATALIE BLAZER: Yeah.

MIKE SPIVEY: That shows maybe a principled approach to how you are submitting your unaudited data previously.

NATALIE Absolutely, yeah. I mean, we are very fastidious about everything when it comes to data. So I think that's right.
BLAZER: And so when the 2023 rankings came out after this whole backlash and after they decided they were going to change their methodology and all this, what changed? Like, if you just give us-- I know you've covered this on your own podcast, but how did they change the sort of criteria?

MIKE SPIVEY: They had to get rid of all the private data. So the biggest one by far being expenditures per student. And they also, because of pressures from deans, needed to minimize-- they needed to maximize outcomes at the expense of inputs, which is LSAT, GPA, and acceptance. So they have those. They have the LSAT percentage. It went from 10% to 5%.

And the GPA which went from, I think it was 9% maybe, 8% to 4%. Now that doesn't sound like a big deal, but let me give you an example, on it. We modeled out what would happen this year if a school increased their LSAT by 5 points. In previous year, undeniably, they would lock it up 5, 15 places in the rankings. The school we modeled out, no movement in the rankings--

NATALIE Wow.

BLAZER:

MIKE SPIVEY: --if their LSAT had gone up by 5 points. In my 25 years, maybe 26 now of doing this, that's unheard of.

NATALIE Which is great, by the way. What matters more what your LSAT was or what job you got or whether you passed the bar, right? And I mean I know in theory these things are supposed to correlate. But I think it's a great thing that the shift is going towards more outcomes because that's what matters, at the end of the day, what's best for the students.

We don't want them taking on debt and not getting a job. And so this kind of leads me right into my next question, which is just the transparency of the process. Like, do you feel that *US News* has become-- do you think they're getting better or do you think they're becoming more transparent about their process or less or the same?

MIKE SPIVEY: Yeah, well, to be clear, they're becoming more transparent not by choice, but by they're forced into this box.

NATALIE Right.

BLAZER:

MIKE SPIVEY: By definition, they're more transparent because it's now mostly publicly available data. They still do weird, funky things to obfuscate. They don't want people like me being able to just model out the rankings. There's a million little things they do to try to keep the public unaware of their entire model.

NATALIE Right. Well, and I love what you said on your own podcast, I think yesterday, which is if people can predict the rankings, A, or if the rankings don't change, then nobody cares-- then nobody's going to pay attention to them. The whole point is that they have to change just enough in a way that's not predictable for them to remain relevant, right?

MIKE SPIVEY: They need change, but they don't need wild-- wild change invalidates their past. And they did a lot to change it that we'll talk about, they did to stabilize the volatility, but they do change every year. And you're right. We put a podcast out immediately. So we didn't edit it. It was just totally boom, boom, boom. And it's only 10 minutes, but that was one of the things we talked about.

NATALIE Yup. OK so with that lengthy introduction to the topic, I want to get down to the rankings that were released this
BLAZER: Tuesday. So if you had to kind of sum it up, is there anything-- what's the most notable thing do you think in this year's rankings, like in terms--

MIKE SPIVEY: The multi-year average. The multi-year average of the two bar passage metrics and the multi-year average of the employment metrics.

NATALIE When you say multi-year averages, I want to make sure everybody knows what you mean with bar passage and
BLAZER: employment, kind of just explain-- they're not just using one year data, right?

MIKE SPIVEY: Yeah, they used to the one year data. Now, they're taking the past two years and averaging the past two years. That does a couple interesting things. It stabilizes the volatility, which is probably pretty good. It's ridiculous if a school goes up plus 60 or down 60. They're not 60 better or 60 worse. That's absurd and everyone knows it. But it does another good thing that I don't think most people have noted yet. In fact, I haven't seen anyone else note this yet. It makes it harder for schools to juice or gamify the rankings with school funded jobs.

NATALIE Yes. And so--
BLAZER:

MIKE SPIVEY: You have to do that now for two years versus one year. So you can't magically have a 100% employment, and it dramatically influence because now you're using multi-year averages. Now in two years, given two years time, you could start using that, but they'll probably start playing with that formula.

NATALIE Right. And I do think that for bar passage, especially, but for employment too, you have one person who doesn't
BLAZER: pass the bar, and suddenly, your ranking changes. Just think about that. That's crazy.

MIKE SPIVEY: Yep. Or in a given year by just the fates, 13 students who are not seeking and don't want to. They just don't care. That's not your fault. If they literally-- if you're trying as a dean-- I'm a former Dean of Career Services, and I'm familiar with a few of these, but some schools every once in a while have these huge spikes. If you just have students who just went to law school for fun and don't care about jobs, should you be penalized for that? No.

NATALIE I know. I know.
BLAZER:

MIKE SPIVEY: Just without the data and employment and bar passage.

NATALIE Agreed, so our listeners, *Admissible* listeners, for the most part, they're law school applicants, especially this
BLAZER: time of year, we have a lot of admitted students probably listening. They're deciding where to go. Our deposit deadline at UVA happens to be two weeks from tomorrow. A lot of school's deposit deadlines are in April. One thing that occurred to me, I've never really asked this, or maybe I did it and I've forgotten, is this a coincidence that rankings come out?

MIKE SPIVEY: It has been brought up to me. I don't know. You obviously can't collude with other schools. So you can't all get together in a smoke filled room and say, let's all have the same deposit date. So I don't think schools got together and said let's have these deposit dates. I suspect, now we're going way back in time, maybe to even the *Gourman Report* that it's not a coincidence. And it has something to do with let's see where we're ranked in and then have our deposit deadline. It might be market driven. It might be that students were like-- it might be that many years ago, it was before, and students are like, this is crazy. I'm not going to deposit until I know what you're ranked.

NATALIE BLAZER: Yeah, yeah, interesting. Yeah, market driven. I think that probably makes the most sense. So if you were an admitted student, Mike, and you're deciding between two schools right now, or three, or four, or five, in what way, if any, would you take this year's rankings into account?

MIKE SPIVEY: Yeah, I certainly wouldn't take this year's rankings' fluctuations into account. I would obviously say, OK, well, let me pull out this easy sheet that has the top whatever. And OK, so now I where to apply based on a general guideline of prestige, employment outcomes. But honestly, it would just be the very most basic compass directionally pointing me.

And then what I would start doing is I would start looking at employment outcomes. I would start talking to students at the school. I wouldn't read message boards because there's always the upset people who are-- if you just love the school, less likely that you're going to talk about it. If you absolutely hate it due to the school, or often, your own issues, then you're more apt to post online. So I would try to talk to students versus read message boards.

Ideally, I would try to visit the school on a random day to sit-in on a class, talk to students in the hallway, talk to faculty. I would be-- I'm an introvert by nature, but I make myself an extrovert for professional reasons. I would make myself an extrovert to get the best data I could. I would go to Law School Transparency. I would look at fit, fit, fit, fit, and then I would make my decision. None of those things, other than where I apply which might be slightly directionally related to the rankings, none of those things, the rankings would factor into.

NATALIE BLAZER: Right. I love when people come visit on a random day. They kind of get like a day in a life, but I love what you said about directional, like using it as a compass rather than the decision maker, because if you think about it, if you're going based off these year to year fluctuations, what do you care about more, what it's ranked when you start or what it's ranked when you graduate? I think it's so much more important.

And I'm saying this as-- we're going to get to this-- I'm saying this as a school who went up four in the rankings. And I'm still saying I wouldn't necessarily make your decision based on that alone. So we've been focusing on admitted students kind of decision making, which obviously makes sense. Who else-- and as I just mentioned, law schools themselves-- like, deans of admissions care about the rankings to some extent because again, it drives applicants potentially to those schools. Who else cares about the rankings? Like, I'm thinking alumni care. Faculty might care.

MIKE SPIVEY: I'll tell you a story that I know at least one person is quite fond of, which is a real life story. When I was a Dean of Career Services, I met with hundreds of hiring partners and managing partners. And pretty early on, I think just-- at first whimsically, I would ask them to name the top 10 law schools. No one ever got it right. In fact, I think after asking probably 200, or 300, or 400 hiring partners, the people who should know this the most, no one not only [INAUDIBLE] top 10 right. They didn't get the top six right.

So my point is this, employers care in clusters. They don't care about one year fluctuations that you mentioned in your [INAUDIBLE]. An employer is not going to even flag that or notice that. They're not memorizing the rankings. They have so much going on. So do employers care? Yes. Do they care that UVA went from 8 to 4? They don't-- that doesn't show up on their radar. You're in a cluster of a good school.

NATALIE That's right. And I think UVA-- I will focus on UVA for a little bit right now. UVA has its own brand with employers.
BLAZER: They just know. You're a UVA Law grad? I know-- it's a shortcut to them knowing exactly what that means. It's a hard worker. It's somebody who can hold a conversation. It's somebody who can meet with clients. It's a million different things. It's a creative thinker, all these things. It's not their number four. It's this is a UVA lawyer, which I think is really important.

MIKE SPIVEY: 100%. 100% schools develop over time brands and reputations with employers and those factor in much more, much more.

NATALIE So if you, Mike Spivey, were creating a ranking system, and I actually have played around with the one on your
BLAZER: website where you can kind of pick and choose. But if you, yourself, were creating a ranking system, what factors would you take into account? Or would you say, no, rankings, let's get rid of them altogether.

MIKE SPIVEY: Yeah, I wouldn't get rid of them. I mean because over time, that would be-- you do need that compass pointing you in some direction, I think.

NATALIE Right, otherwise, it's too overwhelming. There's too many schools. Yeah.
BLAZER:

MIKE SPIVEY: Right. So for me, personally, we do have that My Rank by Spivey where you can weight all the different metrics, how much they matter to you. What would matter to me-- I mean, I'm so different from the typical applicant now. But what mattered to me the most would be sort of fit plus geographic location relative to where people who I love in my life are.

Get up and move just to be away from people who matter tremendously to me. So geographic location, fit, but let me just put myself on my 22-year-old, 24-year-old self. Obviously, employment outcomes would matter tremendously. I'm a former admissions officer, but admissions inputs would matter zero to me. I don't care if the person sitting next to me had a 150 or a 180. I literally don't care.

NATALIE Yeah, yeah.
BLAZER:

MIKE SPIVEY: Right. Other people might have admissions. I would just zero the admissions. I would zero out library, librarians per student. I would super size employment. And I would really, really focus on what kind of community do I want to be in both geographically and how it fits with me. I don't want to be in a cutthroat environment because I'm not a cutthroat person.

NATALIE BLAZER: Right. And I agree with all of that. And now that you're saying that I'm reflecting kind of when I was applying to law school, I had no sense of the rankings. I grew up in Virginia. I knew UVA was a great school both for undergrad and for law school. It kind of goes back to how the *US News* rankings came about because information is so much more readily available now. When I made my law school decision 20 years ago, I could not have told you what that was based on. I certainly was not thinking about LSAT and GPA. I just knew what mine were. Like, I knew what my LSAT was, my GPA was. I decided I'm going to apply where I think is realistic. I didn't know anything.

MIKE SPIVEY: When I applied to undergrad schools, I applied based on-- so my top school was Vanderbilt because my aunt had worked in the library at Vanderbilt. So I had been on their campus. So I just knew their campus. And then literally, I was applying to schools that had cool names that recruited me for athletics or that my girlfriend was applying too. That was it. That was my method. My methodology was, have I visited? Do they have-- are they recruiting me? And is my girlfriend also applying? Which might be a better methodology than the current methodology.

NATALIE BLAZER: So one thing you said yesterday on your podcast, which I was very-- my ears just perked right up. You said that it seems to be that the rankings are getting less attention than they used to. And I forget, or maybe you didn't mention, but what is that based on? Is that--

MIKE SPIVEY: Well, we have more data. It was based on the analytics to our website and the chatter among applicants. So the chatter among the applicants is much more aggressively, don't use the rankings, use employment, and more so than we've ever seen. When people say, hey, this school dropped 10 points, many people are saying, don't worry about it. So this is a shift.

The analytics-- we leaked the top 25. We hadn't done that in two years, but I have a ton of data on the previous six years we did leak. And we would have a hundred thousand people at our website the day we-- but we didn't have it yesterday. So based on our own data, but now I have more data. Kaplan surveyed admissions officers-- I don't if you responded, but they surveyed admissions officers.

18% said-- *US News* rankings had not lost their luster. 51% said they had. And then whatever is left over, 30 something percent, just didn't say anything. So 51% of admissions officers say *US News* is losing its luster. And only 8% are saying it's not losing. Note that 18% aren't saying that it's getting more important. So 50-- whatever 51% are saying it's getting less important. 18% are saying it might just be the same. So that's, to me, pretty compelling data.

NATALIE BLAZER: It is. And I had nothing, but my own anecdotal data which was last year when-- last year-- last week, when you leaked the rankings. My dean actually asked me, what are people saying? Are people talking about it? I'm like, actually, not that much. I mean-- my team was checking and keeping our ears out, but it did feel a little bit less like people's entire attention was focused on it.

MIKE SPIVEY: It wasn't the circus that I've seen in previous years.

NATALIE BLAZER: And I also wonder if there was so much drama last year, that people are just like, yep, OK, you know?

MIKE SPIVEY: That's my concern is that we have a one year period, two year period where the attrition or fatigue of the rankings. And if I had to bet, I actually would bet it tips in this direction, although I've been wrong many times. I'm going to guess in two or three years people are back to being crazy heightened, but I'm more convinced than I was last year that that might not be the case.

NATALIE BLAZER: Yeah, well, you led me right into my last question for you, which is, are the *US News* rankings here to stay in your opinion?

MIKE SPIVEY: Yeah, last year, I said yes. People asked me this last year. And despite all the craziness with the errors and the messaging from *US News* being almost aggressively antagonistic, I still thought last year, *US News* was here to stay. I'm probably like 55% yes, 45% no, which is a lot different when I was probably like 80% yes, 20% no last year. I think it's to be determined.

I think that there's a future where things like our My Rank-- what's to stop *Forbes* or whoever to have a much better-- I mean, they have money. Me? Sometimes, some days. Much better, just fancy beautiful display that allows applicants to create their own rankings what's based on important to them. And if people with a lot deeper pockets than me start doing that beautifully, then you could see a scenario where *US News* dies out.

NATALIE BLAZER: Absolutely. So anything we didn't cover that you want to make sure people know?

MIKE SPIVEY: No, I think you'd asked great questions, and I had taken notes, and I never had to use them, which means this was very organic. I hope that there's a future where-- I mean, I've done admissions so I know that just about every law school is able to take people off the waitlist based on, hey, this person's a great fit. But that we really like them, they're professional, they're responsible, their application was great. For most schools, that does happen, but it often happens after medians are locked in.

What I hope is that percentage gets larger over time because of the [INAUDIBLE]. So that you get to know someone through an interview and their application, and over time, that's an admit. It's not even a waitlist, even if they're below the median. That becomes a to be determined. And I get that there's lots of pressures. I've lived your side too. So I get that there's lots of things going on, but I do see-- I've always resisted the word "holistic." So many people use it, but I do think now that there's a pathway towards even a more holistic process than before. To me, that's very optimistic.

NATALIE BLAZER: I couldn't agree more. People might-- this might not be obvious, but that's what admissions officers want too.

MIKE SPIVEY: A 100%.

NATALIE BLAZER: We want it to be more based on-- we don't want to be slaves to the LSAT and the GPA.

MIKE SPIVEY: You want me to end on a crazy very short story?

NATALIE BLAZER: Absolutely.

MIKE SPIVEY: The last person in-- I have full permission to use this person's name and LSAT score. The last person I admitted off the waitlist many years ago in like early 2000, 2002, 2003, the last person admitted off our waitlist with a 152 LSAT, which was like 15 below our median--

NATALIE Wow.

BLAZER:

MIKE SPIVEY: Justin Ishbia, yesterday was on the cover of *Forbes* magazine for being-- it's called the Billionaire Next Door.

NATALIE Oh, my god.

BLAZER:

MIKE SPIVEY: A billionaire now. He had a 152 LSAT.

NATALIE Yeah.

BLAZER:

MIKE SPIVEY: We admitted him because we like the way he presented himself. He was a hard working gritty person.

NATALIE Well, you saw something in him. And this goes without saying, an LSAT score does not represent your

BLAZER: intelligence, your work ethic, your worth as a person, none of that. So I love that.

MIKE SPIVEY: There's no measurement for motivation that you can test.

NATALIE Absolutely, absolutely. And I'm sure there are-- I know there are countless stories on the flip side of that too,

BLAZER: right? It does not guarantee you success to be at someone's median or above someone's median.

MIKE SPIVEY: Correct. Correct.

NATALIE Well, Mike, this was such a great conversation. I know that you are slammed this time of year fielding all sorts of

BLAZER: requests. So thank you so much for taking the time to come on *Admissible*.

MIKE SPIVEY: I enjoyed being here. Thank you for everyone at UVA for having me and setting this up. And we'll hopefully have you back on our podcast next year.

NATALIE I would love that. I would love that. This has been *Admissible* with me, Dean Natalie Blazer, at the University of

BLAZER: Virginia School of Law. My guest today was Mike Spivey of the Spivey Consulting Group. For more information about UVA Law, please visit law.virginia.edu. This is the last episode of season four so stay tuned on our Instagram account at [@admissiblepodcast](https://www.instagram.com/admissiblepodcast) for when future episodes will be released. Thanks so much for listening and please remember to rate the show wherever you listen to podcasts.