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### The Emerging Importance of Law Review Rankings for Law School Rankings, 2003-07

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#### Recommended Citation

Daniel M. Filler, Kenneth M. Rosen & Alfred L. Brophy, *The Emerging Importance of Law Review Rankings for Law School Rankings, 2003-07*, (2006).

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**SCHOOL OF LAW**

The Emerging Importance of Law Review  
Rankings for Law School Rankings, 2003-07

Alfred L. Brophy

*Working Paper*

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**The Emerging Importance of Law Review Rankings for Law School Rankings, 2003-07**  
**Alfred L. Brophy<sup>1</sup>**

Abstract

*The release of the 2007 US News rankings of law schools has set off another round of speculation on the meanings of the rankings and what, if anything, schools can do to improve the quality of the education they provide, as well as their rankings. Drawing upon earlier evidence that there is a close connection between the citation rankings of law reviews and the ranking of their law schools, this paper looks to changes in both the US News rankings and law journal rankings over the past few years. Moreover, there is a connection, though relatively weak, between law reviews that are improving and law schools that are improving. This paper tests and finds some support for a hypothesis that as law schools improve (or decline), there is a corresponding improvement in the quality of their main law journals (as measured by citations in other journals). Thus, if you want to know where a law school is heading, in addition to the glossy material that the school sends out--to announce new hires, student successes, faculty publications, and talks sponsored by the school--one should spend some time studying the scholarship its main law review publishes. A final table ranks the main law journals of 173 law schools, according to journal citations.*

This essay follows up on a previous study, which looked at the correlations between law review citations and law school rankings. Its conclusion was important, even if unsurprising: especially for the US News top fifty schools, there is a high correlation (.86) between citations to the schools' main law reviews, as measured by citations in other journals, and the US News peer reputation rank. The previous paper explored correlations between a number of additional measures, such as citations of main law reviews by courts and the US News overall score.<sup>2</sup> This

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I would like to thank Mary Sarah Bilder, Dedi Felman, Daniel M. Filler, and Aviam Soifer for their assistance with this paper.

<sup>2</sup> See Alfred L. Brophy, *The Relationship Between Law Review Citations and Law School Rankings*, forthcoming CONN. L. REV. (2006), available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=868541](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=868541)

Ronen Perry conducted a similar analysis, but he focused on rankings theory and methodology. Hence, he did not focus on the implications of law journal citations for law school rankings. See Ronen Perry, *The Relative Value of American Law Reviews: A Critical Appraisal of Ranking Methods*, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=806144](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=806144)

In fact, Professor Perry's most recent work suggests that there is relatively little difference between journals outside of the top tier. See Ronen Perry, *The Relative Value of American Law Reviews: Refinement and Implementation*, available at

paper extends that analysis by looking at changes in rankings of law journals based on citations in other journals from the period from 2002 to 2005 and correlating those changes with changes in US News peer assessment rankings from those released in April 2002 and April 2006 (nominally the 2003 and 2007 rankings). This paper, thus, suggests the importance of law review citation data as a way of gauging the quality of law schools. Then it explores some of the implications of these finding for future rankings. A concluding section provides some suggestions for how law schools can work towards improving their law reviews and, thus, the quality of legal scholarship.

### **I. Recent Scholarship Bringing Precision to Law School Rankings**

The obsession of current and prospective law school students, law school administrators and faculty, and alumni is continuing unabated.<sup>3</sup> Since US News began its survey of law school quality in 1987, it has become—for better or worse—the most popular ranking. And there is increasing evidence that law schools have bent their practices of admission, expenditures, hiring, even their modes of reporting to the ABA in response to the US News rankers. The *New York Times*, for instance, reported in August 2005 about an effort by the University of Illinois Law School to improve its ranking on student expenditures by counting at their full value the lexis and westlaw services provided to its students at a discounted rate.<sup>4</sup> Such actions are, of course, understandable as schools scramble for ways to improve their rankings, which influence recruitment of prospective students and alumni dollars. Students and alumni both want to be on winning teams; and schools that are improving in the rankings are the winners in this business. Thus, the US News rankings become a self-fulfilling prophecy.<sup>5</sup> Much recent scholarship, thus, has focused on the nature of US News rankings and the extent of the gravitational pull that they're exerting on the students and schools.<sup>6</sup>

At the same time, there are increasing efforts to bring more precision to rankings. Paul Caron's and Rafael Gely's instant classic, *What Can Law School Administrators Learn from*

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[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=897063](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=897063)

<sup>3</sup> See, e.g., Bill Henderson, Variation in US News Reputation Over Time, at [http://www.theconglomerate.org/2006/04/variation\\_in\\_us.html](http://www.theconglomerate.org/2006/04/variation_in_us.html)

David Hoffman, If Not Scholarship, What?, at [http://www.concurringopinions.com/archives/2006/04/if\\_not\\_scholars\\_1.html](http://www.concurringopinions.com/archives/2006/04/if_not_scholars_1.html)

Dan Filler, US News Law School Rankings: A Comparison with 1998 and 1995, at: [http://www.concurringopinions.com/archives/2006/04/us\\_news\\_law\\_sch.html](http://www.concurringopinions.com/archives/2006/04/us_news_law_sch.html)

<sup>4</sup> See Alex Wellen, *The \$8.78 Million Maneuver*, NEW YORK TIMES (July 31, 2005).

<sup>5</sup> See, e.g., Michael Sauder & Ryon Lancaster, *Do Rankings Matter? The Effects of U.S. News & World Report Rankings on the Admissions Process of Law Schools*, 40 LAW & SOC. REV. 105 (2006) (finding that applicants and matriculants are influenced by US News rankings).

<sup>6</sup> See, e.g., Jeffrey Evans Stake, *The Interplay Between Law School Rankings, Reputations, and Resource Allocation: Ways Rankings Mislead*, 81 INDIANA L. J. 229 (2006).

*Billy Beane and the Oakland Athletics*, has begun the serious task of assessing quantitatively who make good faculty and then moving in the direction of hiring those people.<sup>7</sup> Caron and a group of other scholars, including Bernard Black, Jeffrey Stake, and William Henderson, have created a genre of legal scholarship that focuses on refining quantitative measurements of law schools.<sup>8</sup> The recent *Indiana Law Journal* symposium on the “next generation of law school rankings” provides a comprehensive set of papers evaluating the state of the field.<sup>9</sup> There remains, of course, much skepticism about the rankings mission<sup>10</sup> and particularly about the methods that US News uses.<sup>11</sup> And so scholars like those named above, as well as J. Gordon Hylton, are proposing alternative rankings methods.<sup>12</sup> One factor that those papers did not address, however, is the utility of law review rankings to law school rankings.

This paper follows up on previous analysis and looks at the relationship between law review citations and law school peer assessments (as measured by US News’ peer assessment rankings) over time. It uses the US News data for 2003 and 2007, which was released in April

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<sup>7</sup> See Paul Caron & Rafael Gely, *What Law Schools Can Learn from Billy Beane and the Oakland Athletics*, 82 TEX. L. REV. 1483 (2004) (using Michael Lewis, *Moneyball: The Art of Winning an Unfair Game* (2003) as the starting-point of an essay on how to quantify faculty performance).

<sup>8</sup> See, e.g., Bernard S. Black & Paul L. Caron, *Ranking Law Schools: Using SSRN to Measure Scholarly Performance*, 81 INDIANA L. J. 83 (2006); Lawrence A. Cunningham, *Scholarly Profit Margins and the Legal Scholarship Network: Reflections on the Web*, 81 INDIANA L.J. 271 (2006); Theodore Eisenberg, *Assessing the SSRN-Based Law School Rankings*, 81 INDIANA L.J. 285 (2006).

<sup>9</sup> Paul Caron & Rafael Gely, *Dead Poets and Academic Progenitors: The Next Generation of Law School Rankings*, 81 INDIANA L. J. 1 (2006).

<sup>10</sup> Rachel F. Moran, *Of Rankings and Regulation: Are the U.S. News & World Report Rankings Really a Subversive Force in Legal Education?*, 81 INDIANA L. J. 383 (2006); Alex M. Johnson, Jr., *The Destruction of the Holistic Approach to Admissions: The Pernicious Effects of Rankings*, 81 INDIANA L. J. 309 (2006).

<sup>11</sup> See, e.g., Brian Leiter, *How to Rank Law Schools*, 81 INDIANA L.J. 47 (2006). Professor Brian Leiter has worked tirelessly to bring precision to measuring the quality of law school faculty. See, e.g., Brian Leiter, *Measuring the Academic Distinction of Law Faculties*, 29 J. LEGAL STUDIES 451, 468-75 (2000) (measuring scholarly impact by citations). For extensive postings on his research: <http://www.utexas.edu/law/faculty/bleiter/rankings/rankings03.html>

<sup>12</sup> See, e.g., J. Gordon Hylton, *The US News and World Report Rankings Without the Clutter*, available at: [http://www.elsblog.org/the\\_empirical\\_legal\\_studi/files/the\\_us\\_news\\_and\\_world\\_report\\_rankings\\_without\\_the\\_clutter.pdf](http://www.elsblog.org/the_empirical_legal_studi/files/the_us_news_and_world_report_rankings_without_the_clutter.pdf)

2002 and April 2006 respectively, and John Doyle's Washington and Lee Law Library citation data for 2002 and 2005, which measures the periods of 1995-2002 and 1998-2005 respectively.<sup>13</sup>

## II. Continued Importance of Law Review Citation Rankings and Law School Rankings

As previous research has shown, there is a high correlation between citations to a school's main law review and its rankings by US News. This is particularly true for the top fifty schools in the 2007 US News rankings. As table 1 shows, there is a high (.87) correlation between rank of journals based on citations and the 2007 US News peer assessment scores. The relationship is also strong (.80) for rank of journals based on their impact (the number of times a work in a journal (article, essay, note, or book review) is cited divided by the number of works published). Impact, thus, helps to correct for the amount that journals publish as an influence on their citations. And there is also a high correlation (.77) between citation rank and US News' school rank. Those correlations are also high for the top 99 schools.<sup>14</sup> Table 2 discloses a correlation of .90 between journal citations and peer assessment scores. But when the schools in the range 51 to 99 are broken out from the analysis, the correlations are not as strong. There is a statistically significant, though weaker, correlation journal citations and US News peer assessment scores (.49) and between journal citations and US News overall score (.45).

As has appeared in the past, the correlations are not as high for schools outside of US News' top 100. For schools in the US News tiers 3 and 4, as table 4 shows, the relationship between journal citations and peer assessment is similar to the schools in the 51-99 range (.52). When the entire set of schools is examined, there is a very high correlation (.90) between peer rating and journal citations; and slightly higher (.91) between journal impact and peer rating. (Table 5.) Figure 1 provides a graphic representation of the relationship between journals rank and peer assessment rank.

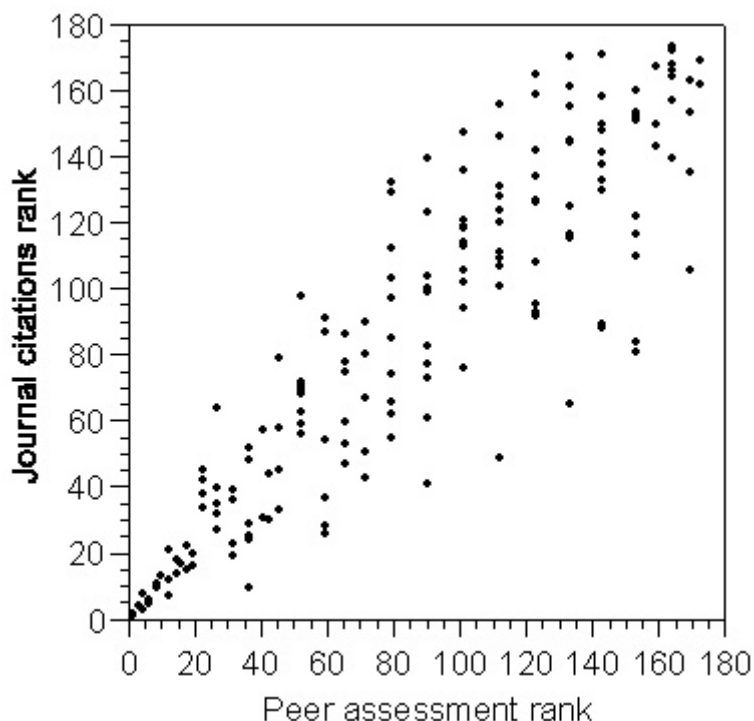
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<sup>13</sup> See <http://lawlib.wlu.edu/LJ/index.aspx>

<sup>14</sup> This study focused on all 173 ABA accredited law schools that had a law review in operation as of 1995. It used the US News data published in April 2002 and April 2006 (nominally the 2003 and 2007 data, respectively) and the law review citation data available on the Washington and Lee Law Library website: <http://lawlib.wlu.edu/LJ/index.aspx>

Because Northeastern does not have a law review, it was excluded from this analysis; similarly, UNLV, Chapman, Florida Coastal, and Franklin Pierce, whose law reviews were not published during the entire period under study here were excluded.

**Figure 1. Journal Rank and Peer Assessment Rank, 173 schools**



### **III. Changing Law Review Citation Rankings, 2002-2005**

This study also looks to changes in the journal ranks over the last four years.<sup>15</sup> It compares the Washington and Lee Law Library study of citations for 1995-2002 and 1998-2005. Over that period, of the 173 law reviews studied, the largest increase in rank was 54 places and the largest drop in rank was 42. The mean difference, obviously, was 0; the standard deviation was 15.04, meaning that two-thirds of the reviews changed no more than fifteen places in citation rankings. The data disclose more fluidity in law review rankings than in law school rankings, however.<sup>16</sup>

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<sup>15</sup> The tables also report data on changes in citations to journals by courts, but this draft makes little use of that data. There are, as is apparent from tables 1 to 5, a consistently smaller correlation between citations to journals by courts than citations to journals by other journals. It is worth some consideration of the reasons for those differences, at a later date.

<sup>16</sup> By comparison, for instance, the difference between 2003 US News peer assessment rank and the 2007 peer assessment rank has a standard deviation of only 6.79 (and, of course, a mean of 0). That is, two-thirds of the schools changed their peer assessment rank less than 7 places.

The schools are ranked in table 6 by amount of change in journal citation rank. It discloses a surprisingly static list, which suggests (as does the high correlation between citations and law school reputation) that the citations are a good indicator of school quality. That is, journals quality is fairly consistent over time. Some factors apparently continue, across time, to be important in placing high (or law) performing articles in the same set of law journals. Or at least in helping high performing journals to continue to be high-performing and vice versa.

There are, of course, some journals that have made great strides in recent years in citations. Using table 6, one may create a list of the sixteen journals that improved their rank in citations by other journals at least twenty places from 2002 to 2005. The leader is *Michigan State Law Review* (previously the *Detroit College of Law Review*), which improved fifty-four places in four years.<sup>17</sup> *Lewis and Clark Law Review*, which was started in the 1990s, improved forty-nine places;<sup>18</sup> *William Mitchell Law Review*, which also performs dramatically better than the rank of its law school would predict (it is in US News' fourth tier), improved by more than forty places. And three reviews of major state schools—*George Mason Law Review*, the *Alabama Law Review*, and the *Florida Law Review*—all improved dramatically.<sup>19</sup> All three have benefitted

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<sup>17</sup> *Michigan State Law Review* has published strong symposia, such as one on takings. See, e.g., James W. Ely, *Thomas Cooley, "Public Use," and New Directions in Takings Jurisprudence*, 2004 MICH. STATE L. REV. 845; Lee Anne Fennell, *Taking Eminent Domain Apart*, 2004 MICH. STATE L. REV. 957.

<sup>18</sup> The *Lewis and Clark Law Review*, ranked 100, is now performing closer to where one would expect, given its US News ranking (77). It has come on strong with articles by leading scholars. See, e.g., Carol M. Rose, *Environmental Law Grows Up (More or Less), and What Science Can Do to Help*, 9 LEWIS & CLARK L. REV. 273 (2005); Eric R. Claeys, *Raich and Judicial Construction At the Close of the Rehnquist Court*, 9 LEWIS & CLARK L. REV. 791 (2005). And given its strong publication record, look for its ranking to continue to climb.

<sup>19</sup> In the case of *George Mason University Law Review*, they have taken advantage of their school's focus on law and economics, as well as other interdisciplinary scholarship. See, e.g., Ronald A. Cass & Keith N. Hylton, *Preserving Competition: Economic Analysis, Legal Standards, and Microsoft*, 8 GEO. MASON U. L. REV. 1 (1999); Logan Everett Sawyer, *Jurisdiction, Jurisprudence, and Legal Change: Sociological Jurisprudence and the Road to International Shoe*, 10 GEO. MASON U. L. REV. 59 (2001).

The *Florida Law Review* has had well-rounded articles by leading scholars, see, e.g., Stephen A. Siegel, *The Conscientious Congressman's Guide to the Electoral College Act*, 56 FLA. L. REV. 541 (2004); Heidi Kitrosser, *Containing Unprotected Speech*, 57 FLA. L. REV. 843 (2005).

The *Alabama Law Review* has benefitted in particular from papers from distinguished senior scholars, see, e.g., Lisa Heinzerling, *Risking it All*, 57 ALA. L. REV. 103 (2005), Jonathan Simon, *Risk and Reflexivity: What Socio-Legal Studies Add to the Study of Risk and the Law*, 57 ALA. L. REV. 119 (2005), as well as exceptionally thoughtful student notes. See, e.g., Amy Leigh Wilson, *A Unifying Theme or Path to Degradation: The Jazz Influence in American Property*



from strong hiring in recent years and the improvement in law reviews is probably indicative of their growth.<sup>20</sup> All three reviews are all still performing somewhat behind their schools' US News rank, but one reasonably expects that in the next several years those reviews will be ranked at or above their schools' US News ranking.<sup>21</sup> Other significant improvers included the *Boston College Law Review* (24 places), *Akron Law Review* (28 places), the *Indiana Law Review* (27 places),<sup>22</sup> and the *University of Hawaii Law Review* (17 places). All those reviews are also associated with schools that are performing well and improving, even if US News has not yet recognized the improvements. Look for those schools to have increasing peer assessments in future US News evaluations.

There are, conversely, twelve law reviews that have fallen more than twenty places since 2002, which appear at the end of table 6. Several of those that fell the furthest had a particularly strong run in the mid and late 1990s, such as the *South Texas Law Review*, which had done remarkably well in citations; it was ranked 59 in 2002. And *South Texas Law Review* is still ranked well (81), significantly above its US News ranking. The *South Texas Law Review* continues to outperform its school, just not at the same level as it had in 2002. Those high rankings are hard to sustain over a long term. There may be other explanations for some of the declining performance of other journals. For instance, the *Montana Law Review* declined forty-two places since 2002. Perhaps the explanation is that the *Montana Law Review* is focused largely on Montana law.<sup>23</sup> It is difficult to get citations in other journals with such a focus, but it

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*Law*, 55 ALA. L. REV. 425 (2004); Kitty Rogers, *Integrating the City of the Dead: The Integration of Cemeteries and the Evolution of Property Law, 1900-1969*, 56 ALA. L. REV. 1153 (2005); Grace Long, *The Sunset of Equity*, 57 ALA. L. REV. 875 (2006).

<sup>20</sup> See, e.g., *A Law School With A Twist: At George Mason University, the Left Doesn't Reign, Believe It or Not*, NATIONAL REVIEW (March 2006) (referring to George Mason University Law School's hiring of strong faculty).

<sup>21</sup> Alabama, George Mason, and Florida were all ranked 41 in the 2006 US News rankings. In 2007, George Mason was ranked 37; the University of Florida was ranked 41, and the University of Alabama was ranked 43; so their numbers may reflect the growing intellectual culture, as well as the legal education community's sense that those are schools of growing prominence (and hence desirable places to publish). In the case of the *Alabama Law Review*, the review is ranked (54) slightly ahead of the school's peer assessment ranking, although it still lags the University of Alabama's overall US News ranking. The *George Mason Law Review* and the *University of Florida Law Review* still rank far behind their schools' peer assessment ranking (59.5 and 36.5 respectively).

<sup>22</sup> The *Indiana Law Review* has not only improved; it is ranked substantially ahead of its parent institution.

<sup>23</sup> As their web-site states, The Montana Law Review, a legal periodical published semiannually, is the principal

probably makes sense to focus on that niche. And it likely serves a critical function for the Montana bench and bar.

#### **IV. Changing Relationship Between Law Review Citation Rankings and Law School Rankings**

Given that data on changes in law review citations, the next step is comparing the relationship between changes in law journal citations and law school rankings. Figure 2 provides a graphic depiction of the changes. It plots changes in peer assessment ranking along the x axis and changes in law journal citation ranking along the y axis. The working hypothesis is that—given the close relationship between law journal citations and law school rankings, we ought to see those two changing together over time. Thus, I hoped to see that as schools improved in ranking (schools on the right of side of the x axis) there would be a corresponding increase in law review citation ranking (schools on the top of the y axis). And one might also predict a decrease in rankings would correspond to loss of law journal rank. Thus, I had hoped to see a preponderance of schools in the upper right and lower left quadrants. In fact, there is a small, though statistically significant correlation (.21,  $p=.0052$ ), between changes in law review citation rank and law school rank.<sup>24</sup>

One reason that the correlation may not be stronger is that the relatively narrow time under study here—four years. Perhaps there has not been enough time to see the changes associated with changing quality of law schools and law reviews. Quite simply, four years may not provide enough time to see the positive effects of a good law journal on a school's reputation and vice versa.

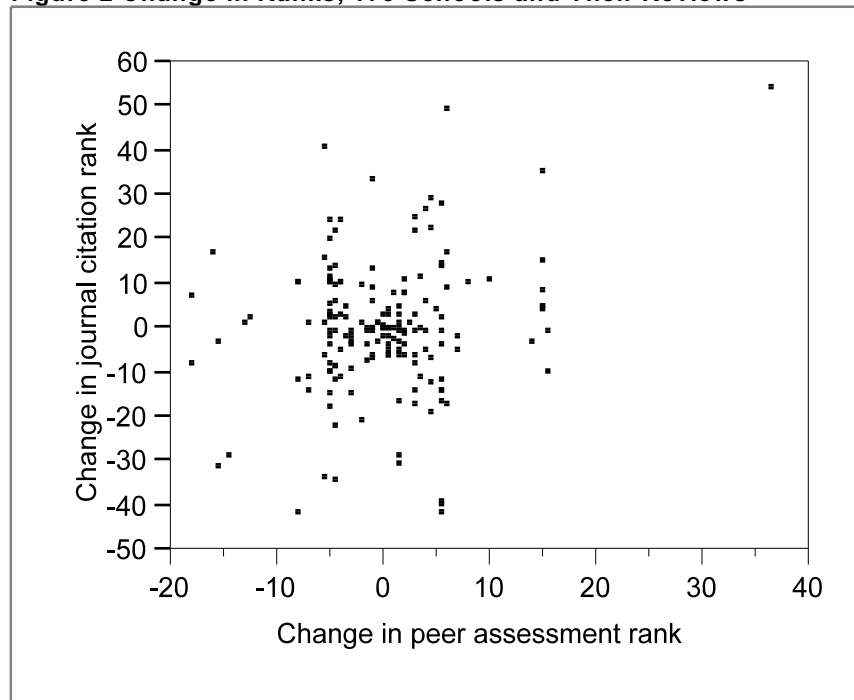
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means of communication to the Montana Bar on Montana law. It includes case notes, comments, and recent developments by students and articles by judges, practitioners, and professors. The principal funding for the Law Review is provided by the State Bar of Montana as a service to the members of the Bar and to legal education.

<http://www.umt.edu/mlr/>

<sup>24</sup> The correlation between difference in ranks for journal citations (1995-2002 vs 1998-2005) and for peer ratings (2002 vs 2007) for the US News top 99 schools was even weaker (.1748) and not even statistically significant ( $p = .0836$ ) (N=99).

**Figure 2 Change in Ranks, 173 Schools and Their Reviews**



By looking at table 6, one can gain an appreciation for some of the data. There are certainly some schools that are on the move in terms of journal rankings and in many instances there are positive moves in terms of journal rank as well. Michigan State, Lewis and Clark, George Mason, University of Florida, University of Akron, Indiana University–Indianapolis are the most prominent here. Then there are other schools whose law reviews are moving upward at a fast rate of climb—the University of Alabama, Boston College, and DePaul—even though those positive changes are not reflected in positive changes in peer assessment. Obviously, the fit between improvements in law reviews and changes in the notoriously static peer assessments, will be imperfect.<sup>25</sup> In some cases, like the *Alabama Law Review* and the *Boston College Law Review*, those reviews are catching up in terms of citations to already well-regarded schools. Both journals dramatically increased their rankings, even as the peer assessment rankings of their parent institutions stayed relatively flat. Given the gap between reality and perception, one hopes that as those journals continue to improve in ranking, there will be a corresponding increase in peer assessment scores.

There are some prominent cases where there is convergence between peer assessment and journal ranking. And in some cases that means that peer assessment is increasing even as journal rank is falling. For example, the *Fordham Law Review*, which was ranked at the astronomical 7

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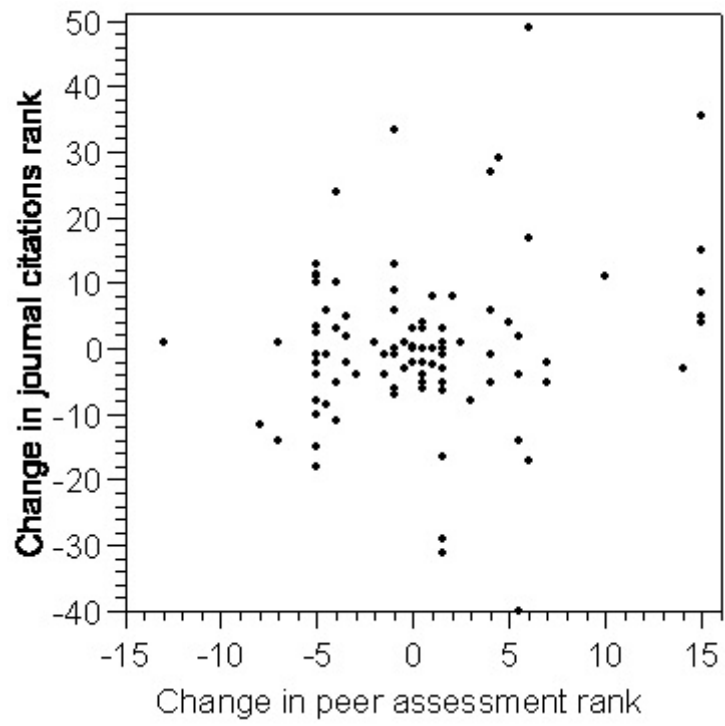
<sup>25</sup> Richard Schmalbeck, *The Durability of Law School Reputations*, 48 J. LEGAL ED. 568 (1998).

in 2002 and has now fallen to 9.5, has increased its peer assessment ranking. Similarly, the *Albany Law Review*'s rank has fallen 17 places (from 32 to 49), even as its peer assessment rank has increased 3 places (to 112). However, as with the *Fordham Law Review*, it is still performing well ahead of its parent institution. Thus, there has been some convergence. Such was the case with the *University of Illinois Law Review*, which increased 13 places (to 27), while its peer assessment decreased 5 places (to 27). And the University of Illinois is now ranked 27 by US News—so one may feel some confidence in saying it's at equilibrium at 27 across the board.

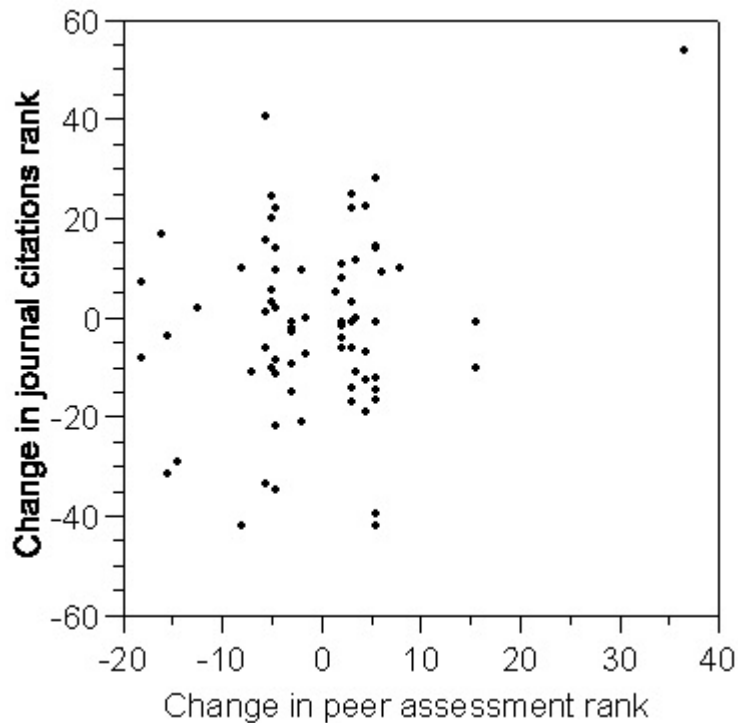
In some cases, schools simply do not fit the model at all. In a period when the *Maryland Law Review* fell 31 places (from 48 to 79), it improved its peer assessment rank by 1.5 places (to 45.5); and when the *University of Denver Law Review* fell 40 places (to 112), it improved its peer assessment rank by 5.5 places (to 79.5). Conversely, several law reviews significantly improved their rankings, even as their peer assessment ranks, which were already behind their law review's ranking, decreased. The *William Mitchell Law Review* improved 40.5 places (to 65), while its peer assessment decreased by 5.5 places (to 133) and the *New England Law Review* improved 14 places to 84, while its peer assessment decreased 4.5 places (to 153). Alas, some schools just don't fit the model at all.

Figures 3 and 4 give plot of sub-sets of the data: the changes in peer assessment ranks and law review citation ranks for schools in the US News top 99 and in the US News third and fourth tiers. One might expect the third and fourth tier journals to have a larger variance in quality over the years than journals at top ranked schools. Those journals might be particularly susceptible to variations in quality, due to luck in selecting articles that are cited heavily. And because they generally have fewer citations than journals at top ranked schools, getting a few heavily cited articles can cause them to move up in ranking dramatically. There is a weak (.2270) relationship between changes in citations and changes in peer assessment, which is not statistically significant ( $p=.0518$ ).

**Figure 3. Change in Ranks, Top 99 Schools and their Reviews**



**Figure 4. Change in Ranks, Schools in Tiers 3 and 4 and their Reviews**



**As to the future.** In some cases, like the *DePaul Law Review*, the *Albany Law Review*, the *Houston Law Review*, and the *South Texas Law Review*, reviews are performing well ahead of their parent institutions. And there may be some convergence between the peer assessment the law journal ranking. For instance, DePaul has just been ranked 80, up from the third tier in the 2006 US News ranking, perhaps in part due to the *DePaul Law Review*'s continued success in citations. The *DePaul Law Review* is now ranked 41 in citations by other journals. One might expect that those schools whose journals are listed in table 7, the most under-valued law journals in the top 100 journals, to be ripe for further re-examination for an improvement in ranking. In particular, Albany and Hofstra are ripe for consideration in the top 100, given that their law reviews are performing better than the reviews of 51 and 49 schools in the US News Top 100, respectively. One might also look for Catholic and Marquette in the US News Top 100. Both Catholic's and Marquette's peer assessments already place them in the Top 100 and their reviews are ranked 66 and 73. Other schools already in the Top 100 that are ripe for an improvement in the rankings are DePaul, the University of Houston, the University of South Carolina, Chicago-Kent, Cardozo, and Fordham. Michigan State certainly ought to climb from the fourth tier; its peer assessment rating already places it 112 and its law review is ranked 109. One might also look for both William Mitchell and South Texas to rise from the fourth tier. Even though William Mitchell's peer assessment rank is 133 (which places it on the cusp of fourth tier—the lowest forty schools), its law review is ranked 65. South Texas's peer assessment rank is 153 (well into the fourth tier), but its law review is ranked 81. One hopes that the hard work of the *William Mitchell Law Review* and *South Texas Law Review* will be rewarded in an increase in

their peer assessment scores.

Table 8 reports the law reviews whose citation rank is noticeably below their parent institutions' US News overall rank. Of course, in several of those cases (Washington and Lee University, George Washington University, and Washington University in St. Louis) the parent institutions are ranked so highly—precisely because of their vibrant intellectual cultures—that one would not expect a similarly high law journal ranking. Particularly in those cases, citations are only an imperfect measure of law review quality.

#### **V. Implications and Prescriptions**

So there is a continuing connection between law review rankings and law school rankings. But what should schools and US News and other evaluators make of these results? First, those compiling future rankings might begin to look more seriously at the citation rankings of law reviews. Detailed information on the intellectual culture of an institution is not readily available for schools in the third and fourth tiers; citation data, which is closely associated with first tier schools, might be profitably used to fill out an incomplete picture. And it is at least plausible that a law review quality correlates with the intellectual environment at that review's parent institution. In turn, citations provide an objective, even if imperfect, measure of the quality of the review. And, thus, citation rankings offer an aid in gauging the quality of schools—particularly in the third and fourth tier, where reliable data on intellectual culture of a school may be difficult to obtain.<sup>26</sup>

Second, schools ought to pay close attention to what their law reviews are publishing. Law reviews serve as ambassadors to the rest of the legal academic community. Given the close connections between law review rank and law school quality, schools should be mindful that they are likely to be judged on the basis of their reviews. A good law review, particularly one whose quality is increasing, can bring positive attention to a school. A law review can serve its function of producing and disseminating legal knowledge better if it is publishing better work. One particularly successful way is to hold symposia and publish the papers delivered there. The *William Mitchell Law Review*, which has improved mightily in the last four years, has used symposia very successfully, as have the *Albany Law Review*, the *Cardozo Law Review*, the *Chicago Kent Law Review*, the *DePaul Law Review*, and the *Fordham Law Review*, to name some of the reviews that have significantly out-performed their schools' US News ranking.

Third, those selecting articles should realize that citations are not the only measure of quality. Thus, reviews should carefully select articles for quality. Almost certainly the most influential article that the *Alabama Law Review* ever published (and a contender for inclusion on a short list of the most influential law review articles published anywhere in recent memory) is Susan Hamil's argument for a Christian-centered tax reform. The article, which recounts a detailed empirical study of the effect of state property taxes, played a central role in the (unsuccessful) effort to pass a constitutional amendment to alter property taxes. During the campaign, the article was reprinted as a book, which sold thousands of copies throughout the

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<sup>26</sup> This paper is, thus, part of an attempt to help refine rankings. Cf. Caron and Gely, *supra* note 9; Stephen P. Klein and Laura Hamilton, *The Validity of the US News and World Report Ranking of ABA Law Schools*, available at: <http://aals.org.cnhost.com/reports/validity.html>

state. And it was front-page news in the *Wall Street Journal*, the subject of numerous *New York Times* stories and, ultimately, named by the *New York Times Magazine* one of the best ideas of 2002. Measuring its quality by citation counts in law journals would not begin to capture its influence.<sup>27</sup>

It is, of course, difficult to evaluate the quality of an article. Students (or faculty for that matter who are reading in matters outside of their expertise) have only limited ability to evaluate the quality of questions being asked, let alone the way they are answered. So student reviews seem to be turning increasingly towards asking for help from faculty members who are expert in the area. There is anecdotal evidence that students often use the author's institutional affiliation as a proxy for the quality of an article.

But smart and active evaluators can ask some basic questions, which may help them evaluate an article. Some key questions that evaluators should ask include: Does the article say something important and new? Is it a thorough exploration of its topic?<sup>28</sup> Or does it contain only partial analysis of cases or statutes? Does it fairly and completely address competing views? Does it respond with new evidence to an important debate in the literature?<sup>29</sup> Will it be useful to

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<sup>27</sup> Susan Pace Hamill, *An Argument for Tax Reform Based on Judeo-Christian Ethics*, 54 ALA. L. REV. 1 (2002). Hamill's article has been cited a respectable 17 times, but a study of law reviews citations does not begin to do it justice. See, e.g., Adam Cohen, *What Would Jesus Do? Sock It to Alabama's Corporate Landowners*, NEW YORK TIMES (June 10, 2003); Shailagh Murray, *Divinity School Article Debates Morality of Alabama Tax-Code*, WALL STREET JOURNAL 1 (February 12, 2003).

On contenders for the most influential law review articles, see Daniel J. Solove, *What Articles Had a Major Influence on Law* (November 27, 2005), [http://www.concurringopinions.com/archives/2005/11/law\\_review\\_arti.html](http://www.concurringopinions.com/archives/2005/11/law_review_arti.html) and [http://prawfsblawg.blogs.com/prawfsblawg/2005/04/most\\_important\\_.html](http://prawfsblawg.blogs.com/prawfsblawg/2005/04/most_important_.html)

<sup>28</sup> Articles that are beginning an exploration of a new topic may be quite good, even though the field has not yet developed to the stage where the work can be comprehensive. That work may in turn invite further analysis. For example, Eric Posner and Adrian Vermeule published a suggestive (even if in the opinion of several responders incomplete) analysis of reparations. See *Reparations for Slavery and Other Historical Injustice*, 103 COLUM. L. REV. 689 (2003). Several responses suggest other lines of analysis that are missing from the article. See Roy Brooks, *Getting Reparations Right: A Response to Posner and Vermeule*, 80 NOTRE DAME L. REV. 251 (2004); Alfred L. Brophy, *Reconsidering Reparations*, 81 INDIANA L. J. 813 (2006).

<sup>29</sup> Eugene Volokh has provided an excellent introduction to creating (and evaluating) student work in *Writing a Student Article*, 48 J. LEGAL ED. 247 (1998). He expands those insights in Eugene Volokh, *ACADEMIC LEGAL WRITING: LAW REVIEW ARTICLES, STUDENT NOTES, AND SEMINAR PAPERS* (2003). Students on the *Alabama Law Review* and I suspect a great many other journals are required to read Volokh's article.



judges, policy makers, or practicing lawyers? Does it help to bridge a gap between theory and practice? Does it answer an important or difficult question, even if very few people will be interested in that question?

At the same time, editors should look for the hallmarks of poorer scholarship. Does the work tread ground previous scholars have explored? Can you identify any significant number of new ideas or new data—or have we heard this story (perhaps in better form) somewhere else? Does the article read like the ranting of someone who’s spent too much time watching the O’Reilly Factor? Editors ought to be able to answer with some specificity: why would someone want to read the article?

Part of this involves getting a “feel” for the article or what we might call the “academic hunch.”<sup>30</sup> Or, take advice from that unlikely but important source, John Muir’s classic *How to Keep Your Volkswagan Alive*. He gives advice on how to buy a VW, which may not be that different from deciding which articles to accept:

First, look at it. Does it sag and look beat? Walk all around it looking for rough spots, wrinkles and bumps. Has it rusted out under the doors? Do the doors open and close well? Does it look like it has been hit? Do the compartment doors open and close? Do the windows work? Check all the lights—brake, signal, head and interior.

. . .

Open the engine compartment. Is it clean? Remember that this is an air-cooled car and the cooling air comes through the engine compartment. If the engine and its compartment are filthy, the loss in cooling efficiency will soon cause repairs. . . . Look at the bottom of the engine. Is it oily and dirty? Be cold! Be objective! You are macroscopically examining a possible new member of your family and the choice is really yours.

...

If you were lucky you were able to do all this without the owner or salesperson fast-talking you; if not, tell, them you want a little time with the car alone, then do it. . . . [L]et your mind and feelings go over the car and the idea of the car. What has its Karma been? Can you live with the car? Walk around or find a quiet place, assume the good Lotus and let the car be the thing.<sup>31</sup>

Think of the VW as a metaphor for the article under consideration. And the upshot is to think seriously about whether the quality of research, writing, and general argument are such that you will be proud to have it be part of your law review’s stable. Will it reflect well on the journal and the school? There is a limit to how much you want to rely on hunches, however. For sometimes when students select articles without vetting them they end up with real train wrecks. Some years ago the *Wayne Law Review* published an article that purported to take down the Coase theorem.<sup>32</sup> To their credit, when the editors and faculty at Wayne State realized what they had

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<sup>30</sup> Cf. Joseph C. Hutchinson, Jr., *The Judgment Intuitive: The Function of the "Hunch" in Judicial Decisions*, 14 CORNELL L. Q. 275 (1928).

<sup>31</sup> JOHN MUIR & TOSH GREG, HOW TO KEEP YOUR VOLKSWAGEN ALIVE 21-22 (1969).

<sup>32</sup> Dan Posin, *The Coase Theorem: If Pigs Could Fly*, 37 WAYNE L. REV. 89 (1990).

done, they published an extensive symposium that both rebutted the article and explored the problems with student-edited law reviews.<sup>33</sup> There was some possibility that the *Wayne Law Review* symposium might mark a turning point in student-edited reviews. Alas, the process of reform takes much longer. One reform that seems to be emerging is the increasing faculty interest in law reviews. Given that law schools provide the funding for the reviews and that the reviews reflect on the schools, the law schools have great institutional interests in the quality of their reviews. Law review accountability will likely be an increasing topic at many schools in the near future.

Moreover, those who have the power to select articles ought to learn about what successful legal scholarship looks like. There are some really terrific models out there, of work that ask interesting questions and answer them with rich, thoughtful analysis, as well as ones that handle in facile and useful ways complex doctrine. Think about articles that have been assigned in classes or excerpted in casebooks.<sup>34</sup> Ask faculty to recommend successful models. Ask what articles were helpful to students in writing their notes. Walk through the law library and pull off some recent volumes of leading law journals: what questions are authors addressing in the *Harvard Law Review*, the *Columbia Law Review*, and the *Yale Law Journal*? How about the *Texas Law Review*, *Vanderbilt Law Review*, *Boston University Law Review*, and the *Indiana Law Journal*? And what do articles in journals that have been successful in recent years in gaining market share look like? What, for instance, are *Michigan State*, *Lewis and Clark*, *William Mitchell*, the *Alabama Law Review* and the *Florida Law Review* publishing?

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<sup>33</sup> See, e.g., Barry Currier & Jeffrey Harrison, *Pigs with Wings: A Comment on Posin's 'Refutation' of the Coase Theorem*, 38 WAYNE L. REV. 21 (1991); Lloyd R. Cohen, *On Judging Whether to Publish Articles that Claim to Refute the Coase Theorem: Analogies to Bayesian Methods*, 38 WAYNE L. REV. 15 (1991); Thomas Ulen, *Flogging a Dead Pig: Professor Posin on the Coase Theorem*, 38 WAYNE L. REV. 91 (1991); Stewart J. Schwab, *Coase, Rents, and Opportunity Costs*, 38 WAYNE L. REV. 55-74 (1991). Professor Posin had a response. See *Bringing Home the Bacon: A Response to Critics*, 38 WAYNE L. REV. 107 (1991).

<sup>34</sup> Because my areas of teaching and scholarship include property and wills, my examples come from those areas. One might want to look for the next article along the lines of Susanah Blumenthal, *The Deviance of the Will: Policing the Bounds of Testamentary Freedom in Nineteenth Century America*, 119 HARV. L. REV. (2006); Charles J. Donahue, *What Causes Fundamental Legal Ideas? Marital Property in England and France in the Thirteenth Century*, 78 MICH. L. REV. 59 (1979); Thomas P. Gallanis, *The Rule Against Perpetuities and the Law Commissioner's Flawed Philosophy*, 59 CUMB. L.J. 284 (2000); Patty Gerstenblith, *Identity and Cultural Property: The Protection of Cultural Property in the United States*, 75 B.U. L. REV. 559 (1995); Richard Chused, *Euclid's Historical Imagery*, 51 CASE WESTERN RESERVE L. REV. 597 (2001); Richard H. Helmholz, *Realism and Formalism in the Severance of Joint Tenancies*, 77 NEB. L. REV. 1 (1998); Stewart Sterk, *Neighbors in American Land Law*, 87 COLUM. L. REV. 55 (1987); William M. Treanor, *The Original Understanding of the Takings Clause and the Political Process*, 95 COLUM. L. REV. 782 (1995); Joan Williams, *The Rhetoric of Property*, 83 IOWA L. REV. 277 (1998).

Perhaps the article is on an esoteric subject and it looks as though there will be relatively few citations; that is not reason to pass it by. There is some really terrific scholarship out there, which has difficulty finding a home. And it's a major credit to those journals that ultimately accept it. Even if something doesn't immediately get a lot of citations, a terrific article (or book review) may live on for decades, building good will for the journal. In the area I know well, legal history, some works continue to gain citations and gain attention decades later. Some are legendary, like Morton Horowitz' essay review "The Conservative Tradition in American Legal Historiography," which appeared in 1973 in the *American Journal of Legal History*.<sup>35</sup> The focus should be on the quality of the argument and the research and citations will, in many cases, follow.

A journal that acquires a reputation for printing thoughtful, well-researched articles will be a credit to the review's school. And will do a service to the legal academic community.

#### **Epilogue: Focusing on the Student-Edited Law Review**

So I hope that an increased focus on law review citations—and what law reviews are publishing—will cause faculty to take their reviews more seriously. Ideally, with more faculty input the quality will increase. And that will have some benefits for the production of legal knowledge. Perhaps the experience of editors on law reviews will also be better, because they will have more interaction with faculty. And I hope those schools that have picked articles in a thoughtful fashion will be rewarded, with an increase in their ranking. And perhaps a focus on what a school's review is publishing will help enhance the school's scholarly community.

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<sup>35</sup> 17 AM. J. LEGAL HIST. 275 (1973). There are many other gems that do not garner the hundreds of citations they would if there were in more popular areas, because they are in an area like legal history, which has few adherents. However, those articles continue to be cited and discussed in some circles, for *years*. Among the many articles that one might cite in this category, *see, e.g.*, Christine Desan, *The Constitutional Commitment to Legislative Adjudication in the Early American Tradition*, 111 HARV. L. REV. 1383 (1998); William W. Fisher, *Ideology, Religion, and the Constitutional Protection of Private Property, 1760-1860*, 39 EMORY L. J. 65 (1990); Daniel Hulsebosch, *Writs to Rights: "Navigability" and the Transformation of the Common Law in the Nineteenth Century*, 23 CARDOZO L. REV. 1049 (2002); J. Gordon Hylton, *The African-American Lawyer, The First Generation: Virginia as a Case Study*, 56 U. PITT. L. REV. 107 (1994); Robert. Kaczorowski, *Common Law Background of 19th Century Tort Law*, 51 OHIO STATE L. J. 1127 (1990); Mari J. Matsuda, *Law and Culture in the District Court of Honolulu, 1844-1845: A Case Study of the Rise of Legal Consciousness*, 32 AM. J. LEGAL HIST. 16 (1988); Stephen A. Siegel, *The Marshall Court and Republicanism*, 67 TEXAS L. REV. 903 (1988) (reviewing G. EDWARD WHITE, *HISTORY OF THE SUPREME COURT OF THE UNITED STATES: THE MARSHALL COURT AND CULTURAL CHANGE, 1815-35* (1988)); Tony A. Freyer, *Reassessing The Impact Of Eminent Domain In Early American Economic Development*, 1981 WISCONSIN L. REV. 1263. Then, every once in a while, legal history pieces get the citations they deserves, even in the short term. *See, e.g.*, Adrienne D. Davis, *The Private Law of Race and Sex: An Antebellum Perspective*, 51 STANFORD L. REV. 221-288 (1999); Kenneth W. Mack, *Rethinking Civil Rights Lawyering and Politics in the Era Before Brown*, 115 YALE L. J. 256 (2005). So sometimes doing the right thing—in terms of scholarship—is rewarded.

There are complaints about law reviews beyond number in the academy. But there seems to be little done to reform the system.<sup>36</sup> Faculty attack reviews;<sup>37</sup> students and recent graduates who have been successful at the law review game defend it.<sup>38</sup> A few faculty take their marbles and go to play elsewhere in leading peer-reviewed journals--like the *Journal of Legal Studies*, *Journal of Law and Economics*, *Journal of Empirical Legal Studies*, *Journal of Legal Education*, *Law and History Review*, *Legal Theory*, and *Supreme Court Economic Review*--which may be where the legal academy is heading. But at the very least, it seems that law reviews will be with us for a very long time. Indeed, I suspect that the bluebook and law reviews will survive for eons. They will, I guess, be what some archeologists in the distant future will look back to, to gain a sense of our culture. And if we can't beat them, we might as well join them--and then try to assist them in making the very best decisions possible.

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<sup>36</sup> Professor Lindgren has provided useful counsel on avenues to reform. See James Lindgren, *Reforming the American Law Review*, 47 STAN. L. REV. 1123 (1995).

<sup>37</sup> See, e.g., James A. Lindgren, *An Author's Manifesto*, 61 U. CHI. L. REV. 527 (1994); Richard A. Posner, *The Future of the Student-Edited Law Review*, 47 STAN. L. REV. 1131 (1995). Judge Posner has recently made his case through the pages of *Legal Affairs*. See Richard A. Posner, *Against the Law Reviews*, LEGAL AFFAIRS (November-December 2004), available at: [http://www.legalaffairs.org/issues/November-December-2004/review\\_posner\\_novdec04.msp](http://www.legalaffairs.org/issues/November-December-2004/review_posner_novdec04.msp)

<sup>38</sup> See, e.g., Natalie C. Cotton, *The Competence of Students as Editors of Law Reviews: A Response to Judge Posner*, 154 U. PA. L. REV. 951 (2006); James W. Harper, *Why Student-Run Law Reviews?*, 82 MINN. L. REV. 1261 (1998); Jonathan Mermin, *Remaking Law Review*, 56 RUTGERS L. REV. 603 (2004).

**Table 1.** USNews 2007 data, 50 Top-Ranked schools

	1	2	3	4	5	6	7
School rank	1.00	-.94	-.93	-.91	-.77	-.60	-.80
Overall score	-.94	1.00	.96	.94	.87	.67	.85
Peer rating	-.93	.96	1.00	.96	.87	.66	.86
Law/Judge rating	-.91	.94	.96	1.00	.84	.64	.81
Journal citations	-.77	.87	.87	.84	1.00	.86	.82
Case citations	-.60	.67	.66	.64	.86	1.00	.59
Impact	-.80	.85	.86	.81	.82	.59	1.00
N = 50							

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

**Table 2.** USNews 2007 data, 99 top-ranked schools

	1	2	3	4	5	6	7
School rank	1.00	-.93	-.93	-.87	-.78	-.58	-.83
Overall score	-.93	1.00	.97	.94	.90	.69	.91
Peer rating	-.93	.97	1.00	.94	.90	.67	.91
Lawyer/Judge rating	-.87	.94	.94	1.00	.85	.63	.86
Journal citations	-.78	.90	.90	.85	1.00	.83	.89
Case citations	-.58	.69	.67	.63	.83	1.00	.65
Impact	-.83	.91	.91	.86	.89	.65	1.00
N = 99							

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

(Largest rank is 99, not 100, because Northeastern, which was tied for rank 87, was excluded, and ranks were recalculated for the remaining 99 schools.)

**Table 3.** USNews 2007 data, Schools Ranked 51-99

	1	2	3	4	5	6	7
School rank	1.00	-.99	-.77	-.14	-.45	-.12	-.47
Overall score	-.99	1.00	.74	.14	.44	.13	.44
Peer rating	-.77	.74	1.00	.14	.49	.11	.53
Law/Judge rating	-.14	.14	.14	1.00	-.15	-.22	.03
Journal citations	-.45	.44	.49	-.15	1.00	.35	.67
Case citations	-.12	.13	.11	-.22	.35	1.00	.19
Impact	-.47	.44	.53	.03	.67	.19	1.00

N = 49

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

For n = 49,  $|r| \geq .28$  is significant at .05 level.

**Table 4.** USNews 2007 data, 74 Tier 3 and Tier 4 schools

	1	2	3	4	5
Peer rating	1.00	.73	.52	.23	.38
Law/Judge rating	.73	1.00	.36	.27	.26
Journal citations	.52	.36	1.00	.41	.66
Case citations	.23	.27	.41	1.00	.29
Impact	.38	.26	.66	.29	1.00

N = 74

1. Peer rating
2. Lawyer/Judge rating
3. Journal citations, 1998-2005
4. Case citations 1998-2005
5. Impact 1998-2005

For n = 74,  $|r| \geq .23$  is significant at .05 level.

**Table 5.** USNews 2007 data, 173 schools

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	1	2	3	4	5
Peer rating	1.00	.94	.90	.71	.91
Law/Judge rating	.94	1.00	.83	.67	.85
Journnal citations	.90	.83	1.00	.82	.91
Case citations	.71	.67	.82	1.00	.70
Impact	.91	.85	.91	.70	1.00

N = 173

1. Peer rating
  2. Lawyer/Judge rating
  3. Journal citations, 1998-2005
  4. Case citations 1998-2005
  5. Impact 1998-2005
- 
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**Table 6. Table 6. Changes in Law Review Citation Rank and Peer Assessment Rank, Journals Citation Rank for 1998-2005, and 2007 US News School Rank**

	USNews rank	School	Change in rank		
			Journal citations	Peer assess	Journal citations rank
1	Tier 4	Michigan State University	54	36.5	109
2	77	Lewis and Clark College (Northwestern) (OR)	49	6	100
3	Tier 4	William Mitchell College of Law (MN)	40.5	-5.5	65
4	37	George Mason University (VA)	35.5	15	70
5	43	University of Alabama-Tuscaloosa	33.5	-1	54
6	41	University of Florida (Levin)	29	4.5	52
7	Tier 3	University of Akron (OH)	28	5.5	88
8	77	Indiana University-Indianapolis	27	4	50.5
9	Tier 3	University of Arkansas-Little Rock (Bowen)	25	3	101
10	Tier 3	University of Louisville (Brandeis) (KY)	24.5	-5	119
11	27	Boston College	24	-4	36
12	Tier 3	Drake University (IA)	22.5	4.5	95.5
13	Tier 4	Capital University (OH)	22	-4.5	110
14	Tier 3	Loyola University New Orleans 12	22	3	128
15	Tier 3	University of Missouri-Kansas City	20	-5	102
16	93	University of Hawaii (Richardson)	17	6	139.5
17	Tier 3	University of Maine	17	-16	136
18	Tier 3	Washburn University (KS)	15.5	-5.5	115
19	80	St. John's University (NY)	15	15	77
20	Tier 4	Widener University (DE)	14.5	5.5	149.5
21	Tier 3	Hofstra University (NY)	14	5.5	55
22	Tier 4	New England School of Law (MA)	14	-4.5	84
23	Tier 3	Syracuse University (NY)	14	5.5	103
24	60	Illinois Institute of Technology (Chicago-Kent)	13	-1	28
25	27	University of Illinois-Urbana-Champaign	13	-5	27
26	97	University of Mississippi	11.5	-5	147
27	Tier 4	Regent University (VA)	11.5	3.5	153.5
28	Tier 4	California Western School of Law	11	2	122
29	80	DePaul University (IL)	11	-5	41
30	60	Villanova University (PA)	11	10	47
31	34	Brigham Young University (Clark) (UT)	10	-5	56
32	Tier 3	University of Idaho	10	-8	127
33	70	University of Nebraska-Lincoln	10	-4	97
34	80	University of Oklahoma	10	-4	129
35	Tier 4	Roger Williams University (Papitto) (RI)	10	8	151



36	97	University of South Carolina	10	-5	61
37	Tier 4	University of Tulsa (OK)	10	-8	93
38	Tier 4	Hamline University (MN)	9.5	-4.5	137.5
39	Tier 4	Whittier Law School (CA)	9.5	-2	105.5
40	Tier 3	Marquette University (WI)	9	6	73
41	60	University of Missouri-Columbia	9	-1	91
42	87	Louisiana State University-Baton Rouge	8.5	15	82.5
43	4	New York University	8	2	6
44	Tier 4	Oklahoma City University	8	2	143
45	43	Tulane University (LA)	8	1	29
46	Tier 4	West Virginia University	7	-18	134
47	53	University of Cincinnati	6	-4.5	43
48	70	University of Houston	6	-1	37
49	65	Rutgers State University-Camden (NJ)	6	4	80
50	Tier 3	Wayne State University (MI)	5.5	-5	123
51	97	Georgia State University	5	15	99
52	39	Ohio State University (Moritz)	5	-3.5	25
53	65	University of San Diego	5	15	71
54	Tier 4	Thomas Jefferson School of Law (CA)	5	1.5	163
55	34	University of California-Davis	4	0.5	40
56	53	Florida State University	4	15	59
57	19	George Washington University (DC)	4	5	42
58	87	Pepperdine University (McConnell) (CA)	3.5	-5	105.5
59	Tier 3	University of Arkansas-Fayetteville	3	-5	121
60	6	University of Chicago	3	0	8
61	26	Emory University (GA)	3	0.5	32
62	77	University of New Mexico	3	-4	132
63	Tier 3	New York Law School	3	3	124
64	27	College of William and Mary (Marshall-Wythe)	3	1.5	19
65	70	Loyola University Chicago	2.5	-5	82.5
66	Tier 4	CUNY-Queens College	2	-4.5	171
67	Tier 3	Catholic University of America (Columbus) (DC)	2	-12.5	66
68	80	St. Louis University	2	5.5	62
69	27	University of Washington	2	-3.5	48
70	Tier 4	University of Baltimore	1	-5.5	170
71	8	University of California-Berkeley	1	-2	11
72	13	Cornell University (NY)	1	1.5	12
73	70	University of Kansas	1	-13	78
74	19	University of Minnesota-Twin Cities	1	-0.5	16
75	27	University of North Carolina-Chapel Hill	1	2.5	20
76	43	Southern Methodist University (TX)	1	-7	53
77	17	Vanderbilt University (TN)	1	-0.5	15
78	8	University of Virginia	0.5	0	9.5

79	4	Columbia University (NY)	0	0	3
80	3	Harvard University (MA)	0	0.5	1
81	37	Indiana University-Bloomington	0	1	24
82	8	University of Michigan-Ann Arbor	0	0	5
83	12	Northwestern University (IL)	0	-1	18
84	22	University of Notre Dame (IN)	0	1.5	23
85	Tier 4	Southern University (LA)	0	-1.5	169
86	2	Stanford University (CA)	0	-1	4
87	Tier 4	Texas Southern University (Marshall)	0	3.5	172
88	1	Yale University (CT)	0	0.5	2
89	53	Cardozo-Yeshiva University (NY)	-1	-1	26
90	11	Duke University (NC)	-1	-1.5	21
91	14	Georgetown University (DC)	-1	1.5	7
92	65	University of Kentucky	-1	-4.5	90
93	Tier 4	Mississippi College	-1	-3	168
94	Tier 3	Quinnipiac University (CT)	-1	5.5	161
95	80	University of Richmond (VA)	-1	-5	76
96	93	University of San Francisco	-1	4	94
97	Tier 3	Southern Illinois University-Carbondale	-1	15.5	126
98	Tier 4	Texas Wesleyan University	-1	2	167
99	Tier 3	Willamette University (Collins) (OR)	-1	3	120
100	Tier 4	Touro College (Fuchsberg) (NY)	-1.5	2	160
101	53	Arizona State University	-2	7	58
102	22	Boston University	-2	0.5	35
103	87	Pennsylvania State University (Dickinson)	-2	-5	114
104	15	University of California-Los Angeles	-2	0	17
105	Tier 4	Western New England College (MA)	-2	-3	164
106	32	University of Wisconsin-Madison	-2	-3.5	38
107	32	Fordham University (NY)	-2.5	1	9.5
108	22	University of Iowa	-3	-0.5	34
109	Tier 4	North Carolina Central University	-3	-3	173
110	93	Seattle University	-3	14	113
111	17	University of Southern California (Gould)	-3	1.5	22
112	Tier 4	University of South Dakota	-3.5	-15.5	158
113	43	University of Arizona (Rogers)	-4	-3	31
114	43	University of Colorado-Boulder	-4	-1.5	30
115	65	University of Miami (FL)	-4	-5	69
116	Tier 3	Northern Illinois University	-4	2	152
117	7	University of Pennsylvania	-4	0.5	13
118	87	Santa Clara University (CA)	-4	5.5	74
119	58	Brooklyn Law School (NY)	-5	1.5	60
120	43	University of California (Hastings)	-5	-4	39
121	50	University of Connecticut	-5	7	33

122	60	University of Pittsburgh	-5	0.5	72
123	80	University at Buffalo-SUNY	-5	4	67
124	34	University of Georgia	-6	0.5	57
125	Tier 3	Gonzaga University (WA)	-6	3	146
126	Tier 4	Northern Kentucky University (Chase)	-6	2	149.5
127	Tier 4	Suffolk University (MA)	-6	-5.5	144
128	16	University of Texas-Austin	-6	-1	14
129	39	Wake Forest University (NC)	-6	0.5	44
130	19	Washington University in St. Louis	-6.5	1.5	45.5
131	Tier 3	Cleveland State University (Cleveland-Marshall)	-7	4.5	159
132	60	University of Tennessee-Knoxville	-7	-1	87
133	Tier 4	Thomas M. Cooley Law School (MI)	-7.5	-1.5	162
134	97	University of the Pacific (McGeorge) (CA)	-8	3	107
135	57	University of Utah (S.J. Quinney)	-8	-5	98
136	Tier 4	University of Wyoming	-8	-18	142
137	Tier 4	Golden Gate University (CA)	-8.5	-4.5	153.5
138	65	Loyola Law School (CA)	-8.5	-4.5	50.5
139	Tier 4	Campbell University (Wiggins) (NC)	-9.5	-3	166
140	51	Baylor University (TX)	-10	-5	104
141	Tier 3	Pace University (NY)	-10	15.5	156
142	Tier 3	Vermont Law School	-10	-5	118
143	Tier 4	University of Detroit Mercy	-11	3.5	139.5
144	Tier 3	Howard University (DC)	-11	-7	131
145	70	Seton Hall University (NJ)	-11	-4	85
146	Tier 4	John Marshall Law School (IL)	-11.5	-4.5	89
147	87	Mercer University (GA)	-11.5	-8	95.5
148	Tier 3	Southwestern University School of Law (CA)	-12	5.5	148
149	Tier 3	Texas Tech University	-12.5	4.5	108
150	80	Rutgers State University-Newark (NJ)	-14	-7	75
151	Tier 3	Stetson University (FL)	-14	3	111
152	93	University of Toledo (OH)	-14	5.5	125
153	Tier 3	University of North Dakota	-14.5	5.5	145
154	51	Case Western Reserve University (OH)	-15	-5	68
155	Tier 4	Ohio Northern University (Pettit)	-15	-3	157
156	43	American University (Washington College of Law)	-16.5	1.5	45.5
157	Tier 4	Nova Southeastern University (Broad) (FL)	-16.5	5.5	137.5
158	Tier 3	Albany Law School-Union University (NY)	-17	3	49
159	22	Washington and Lee University (VA)	-17	6	64
160	70	University of Oregon	-18	-5	63
161	Tier 3	Creighton University (NE)	-19	4.5	92
162	Tier 4	St. Thomas University (FL)	-21	-2	135
163	Tier 4	South Texas College of Law	-22	-4.5	81
164	Tier 4	St. Mary's University (TX)	-29	-14.5	116.5

165	58	Temple University (Beasley) (PA)	-29	1.5	86
166	42	University of Maryland	-31	1.5	79
167	Tier 3	Duquesne University (PA)	-31.5	-15.5	133
168	Tier 4	Valparaiso University (IN)	-33.5	-5.5	116.5
169	Tier 3	Samford University (Cumberland) (AL)	-34.5	-4.5	130
170	Tier 3	University of Memphis (Humphreys)	-39.5	5.5	141
171	70	University of Denver (Sturm)	-40	5.5	112
172	Tier 4	University of Dayton (OH)	-42	5.5	155
173	Tier 3	University of Montana	-42	-8	165

**Table 7. Most Under-valued Law Reviews of Top 100 Journals  
(Difference of more than 20 between law review citation rank and US News rank)**

Albany Law Review 51+  
Hofstra Law Review 45+  
DePaul Law Review 39  
South Carolina Law Review 36  
William Mitchell Law Review 35  
Catholic University Law Review 34  
Houston Law Review 33  
Chicago-Kent Law Review 32  
Cardozo Law Review 27  
Marquette Law Review 27+  
Indiana Law Review 26.5  
Fordham Law Review 22.5

(Schools outside of the top 100 have been assigned a rank of 100 for purposes of computation of difference between law review citation rank and US News rank. As a consequence, the difference for Albany, Hofstra, Loyola, and Marquette are likely even greater than reported; hence the “+” added after their difference.)

**Table 8. Most Over-valued Law Reviews of Top 99 Schools  
(Difference of more than 20 between US News rank and law review citation rank)**

Washington and Lee Law Review 42  
Utah Law Review 41  
Maryland Law Review 37  
George Mason Law Review 33  
Missouri Law Review 31  
Temple Law Review 28  
Nebraska Law Review 27  
Washington University Law Review 26.5

University of Tennessee Law Review 27  
University of Kentucky Law Review 25  
Lewis and Clark Law Review 23  
Georgia Law Review 23  
George Washington Law Review 23  
Brigham Young Law University Review 22  
University of Washington Law Review 21

**Table 9. Schools Arranged by Number of Journal Citations to School’s Primary Law Review, with Peer Assessment Ratings, Court Citations Rank, and US News Rank Assessment Ratings and Rank.**

US News rank	School	Peer		Citations		Cases rank
		Raw	Rank	Rank	Raw	
3	Harvard University (MA)	4.9	1.5	1	6832	1
1	Yale University (CT)	4.9	1.5	2	5443	7
4	Columbia University (NY)	4.7	4.5	3	4842	2
2	Stanford University (CA)	4.8	3	4	4545	17
8	University of Michigan-Ann Arbor	4.6	6.5	5	3778	15.5
4	New York University	4.6	6.5	6	3655	5
14	Georgetown University (DC)	4.2	12	7	3412	6
6	University of Chicago	4.7	4.5	8	3389	11.5
32	Fordham University (NY)	3.2	36.5	9.5	3369	8
8	University of Virginia	4.5	8.5	9.5	3369	20.5
8	University of California-Berkeley	4.5	8.5	11	3350	50.5
13	Cornell University (NY)	4.2	12	12	3251	11.5
7	University of Pennsylvania	4.4	10	13	3213	13
16	University of Texas-Austin	4.1	14.5	14	3141	10
17	Vanderbilt University (TN)	3.8	17.5	15	3022	9
19	University of Minnesota-Twin Cities	3.6	19.5	16	2836	22.5
15	University of California-Los Angeles	4	16	17	2804	36.5
12	Northwestern University (IL)	4.1	14.5	18	2509	55
27	College of William and Mary (Marshall-Wythe)	3.3	31.5	19	2361	28.5
27	University of North Carolina-Chapel Hill	3.6	19.5	20	2254	22.5
11	Duke University (NC)	4.2	12	21	2181	19
17	University of Southern California (Gould)	3.8	17.5	22	2077	79.5
22	University of Notre Dame (IN)	3.3	31.5	23	2060	14
37	Indiana University-Bloomington	3.2	36.5	24	1946	28.5
39	Ohio State University (Moritz)	3.2	36.5	25	1914	35
53	Cardozo-Yeshiva University (NY)	2.7	59.5	26	1903	60.5
27	University of Illinois-Urbana-Champaign	3.4	27	27	1744	55
60	Illinois Institute of Technology (Chicago-Kent)	2.7	59.5	28	1674	75
43	Tulane University (LA)	3.2	36.5	29	1665	25
43	University of Colorado-Boulder	3	42.5	30	1644	50.5
43	University of Arizona (Rogers)	3.1	40.5	31	1643	42.5
26	Emory University (GA)	3.4	27	32	1631	46
50	University of Connecticut	2.9	45.5	33	1617	48.5
22	University of Iowa	3.5	22.5	34	1600	26
22	Boston University	3.4	27	35	1591	39
27	Boston College	3.3	31.5	36	1526	72.5

70	University of Houston	2.7	59.5	37	1519	4
32	University of Wisconsin-Madison	3.5	22.5	38	1496	31
43	University of California (Hastings)	3.3	31.5	39	1451	62.5
34	University of California-Davis	3.4	27	40	1434	99.5
80	DePaul University (IL)	2.3	90	41	1432	34
19	George Washington University (DC)	3.5	22.5	42	1406	48.5
53	University of Cincinnati	2.5	71.5	43	1347	79.5
39	Wake Forest University (NC)	3	42.5	44	1333	44
43	American University (Washington Coll of Law)	2.9	45.5	45.5	1319	58
19	Washington University in St. Louis	3.5	22.5	45.5	1319	36.5
60	Villanova University (PA)	2.6	65.5	47	1255	95.5
27	University of Washington	3.2	36.5	48	1244	31
Tier 3	Albany Law School-Union University (NY)	2.1	112	49	1214	92
77	Indiana University-Indianapolis	2.5	71.5	50.5	1203	24
65	Loyola Law School (CA)	2.5	71.5	50.5	1203	99.5
41	University of Florida (Levin)	3.2	36.5	52	1143	86
43	Southern Methodist University (TX)	2.6	65.5	53	1125	46
43	University of Alabama-Tuscaloosa	2.7	59.5	54	1118	31
Tier 3	Hofstra University (NY)	2.4	79.5	55	1078	62.5
34	Brigham Young University (Clark) (UT)	2.8	52	56	1050	79.5
34	University of Georgia	3.1	40.5	57	1046	38
53	Arizona State University	2.9	45.5	58	1043	67.5
53	Florida State University	2.8	52	59	1042	40
58	Brooklyn Law School (NY)	2.6	65.5	60	1033	41
97	University of South Carolina	2.3	90	61	1014	33
80	St. Louis University	2.4	79.5	62	991	113
70	University of Oregon	2.8	52	63	980	95.5
22	Washington and Lee University (VA)	3.4	27	64	934	58
Tier 4	William Mitchell College of Law (MN)	1.9	133	65	921	20.5
Tier 3	Catholic University of America (Columbus) (DC)	2.4	79.5	66	909	106.5
80	University at Buffalo-SUNY	2.5	71.5	67	898	129
51	Case Western Reserve University (OH)	2.8	52	68	895	136.5
65	University of Miami (FL)	2.8	52	69	893	75
37	George Mason University (VA)	2.8	52	70	883	67.5
65	University of San Diego	2.8	52	71	877	117.5
60	University of Pittsburgh	2.8	52	72	856	113
Tier 3	Marquette University (WI)	2.3	90	73	829	52.5
87	Santa Clara University (CA)	2.4	79.5	74	820	67.5
80	Rutgers State University-Newark (NJ)	2.6	65.5	75	814	99.5
80	University of Richmond (VA)	2.2	101	76	796	67.5
80	St. John's University (NY)	2.3	90	77	792	95.5
70	University of Kansas	2.6	65.5	78	765	79.5
42	University of Maryland	2.9	45.5	79	758	86
65	Rutgers State University-Camden (NJ)	2.5	71.5	80	750	79.5

Tier 4	South Texas College of Law	1.7	153	81	743	106.5
87	Louisiana State University-Baton Rouge	2.3	90	82.5	742	15.5
70	Loyola University Chicago	2.3	90	82.5	742	67.5
Tier 4	New England School of Law (MA)	1.7	153	84	735	141
70	Seton Hall University (NJ)	2.4	79.5	85	729	52.5
58	Temple University (Beasley) (PA)	2.6	65.5	86	727	42.5
60	University of Tennessee-Knoxville	2.7	59.5	87	716	58
Tier 3	University of Akron (OH)	1.8	143	88	714	117.5
Tier 4	John Marshall Law School (IL)	1.8	143	89	700	117.5
65	University of Kentucky	2.5	71.5	90	691	55
60	University of Missouri-Columbia	2.7	59.5	91	681	72.5
Tier 3	Creighton University (NE)	2	123	92	675	75
Tier 4	University of Tulsa (OK)	2	123	93	631	106.5
93	University of San Francisco	2.2	101	94	621	136.5
Tier 3	Drake University (IA)	2	123	95.5	615	27
87	Mercer University (GA)	2	123	95.5	615	67.5
70	University of Nebraska-Lincoln	2.4	79.5	97	612	89.5
57	University of Utah (S.J. Quinney)	2.8	52	98	593	79.5
97	Georgia State University	2.3	90	99	578	89.5
77	Lewis and Clark College (Northwestern) (OR)	2.3	90	100	575	150
Tier 3	University of Arkansas-Little Rock (Bowen)	2.1	112	101	574	129
Tier 3	University of Missouri-Kansas City	2.2	101	102	564	123
Tier 3	Syracuse University (NY)	2.4	79.5	103	562	86
51	Baylor University (TX)	2.3	90	104	558	18
87	Pepperdine University (McConnell) (CA)	2.2	101	105.5	554	129
Tier 4	Whittier Law School (CA)	1.4	169.5	105.5	554	146
97	University of the Pacific (McGeorge) (CA)	2.1	112	107	552	129
Tier 3	Texas Tech University	2	123	108	550	46
Tier 4	Michigan State University	2.1	112	109	549	136.5
Tier 4	Capital University (OH)	1.7	153	110	537	162
Tier 3	Stetson University (FL)	2.1	112	111	534	113
70	University of Denver (Sturm)	2.4	79.5	112	532	109.5
93	Seattle University	2.2	101	113	514	60.5
87	Pennsylvania State University (Dickinson)	2.2	101	114	507	92
Tier 3	Washburn University (KS)	1.9	133	115	498	120.5
Tier 4	St. Mary's University (TX)	1.7	153	116.5	484	3
Tier 4	Valparaiso University (IN)	1.9	133	116.5	484	92
Tier 3	Vermont Law School	2.2	101	118	479	150
Tier 3	University of Louisville (Brandeis) (KY)	2.2	101	119	463	117.5
Tier 3	Willamette University (Collins) (OR)	2.1	112	120	456	103
Tier 3	University of Arkansas-Fayetteville	2.2	101	121	444	86
Tier 4	California Western School of Law	1.7	153	122	443	170
Tier 3	Wayne State University (MI)	2.3	90	123	436	109.5
Tier 3	New York Law School	2.1	112	124	435	129



93	University of Toledo (OH)	1.9	133	125	434	136.5
Tier 3	Southern Illinois University-Carbondale	2	123	126	432	144
Tier 3	University of Idaho	2	123	127	409	129
Tier 3	Loyola University New Orleans 12	2.1	112	128	404	136.5
80	University of Oklahoma	2.4	79.5	129	403	95.5
Tier 3	Samford University (Cumberland) (AL)	1.8	143	130	400	103
Tier 3	Howard University (DC)	2.1	112	131	399	167
77	University of New Mexico	2.4	79.5	132	398	113
Tier 3	Duquesne University (PA)	1.8	143	133	387	120.5
Tier 4	West Virginia University	2	123	134	386	67.5
Tier 4	St. Thomas University (FL)	1.4	169.5	135	379	150
Tier 3	University of Maine	2.2	101	136	363	129
Tier 4	Hamline University (MN)	1.8	143	137.5	357	147
Tier 4	Nova Southeastern University (Broad) (FL)	1.8	143	137.5	357	154.5
Tier 4	University of Detroit Mercy	1.5	164	139.5	353	159
93	University of Hawaii (Richardson)	2.3	90	139.5	353	106.5
Tier 3	University of Memphis (Humphreys)	1.8	143	141	346	67.5
Tier 4	University of Wyoming	2	123	142	340	103
Tier 4	Oklahoma City University	1.6	159	143	337	123
Tier 4	Suffolk University (MA)	1.9	133	144	334	99.5
Tier 3	University of North Dakota	1.9	133	145	332	86
Tier 3	Gonzaga University (WA)	2.1	112	146	330	154.5
97	University of Mississippi	2.2	101	147	328	83
Tier 3	Southwestern Univ School of Law (CA)	1.8	143	148	316	150
Tier 4	Northern Kentucky University (Chase)	1.6	159	149.5	314	141
Tier 4	Widener University (DE)	1.8	143	149.5	314	172.5
Tier 4	Roger Williams University (Papitto) (RI)	1.7	153	151	306	154.5
Tier 3	Northern Illinois University	1.7	153	152	300	136.5
Tier 4	Golden Gate University (CA)	1.7	153	153.5	294	157
Tier 4	Regent University (VA)	1.4	169.5	153.5	294	164
Tier 4	University of Dayton (OH)	1.9	133	155	292	167
Tier 3	Pace University (NY)	2.1	112	156	290	144
Tier 4	Ohio Northern University (Pettit)	1.5	164	157	282	154.5
Tier 4	University of South Dakota	1.8	143	158	278	129
Tier 3	Cleveland State University (Clev-Marshall)	2	123	159	272	150
Tier 4	Touro College (Fuchsberg) (NY)	1.7	153	160	271	113
Tier 3	Quinnipiac University (CT)	1.9	133	161	224	144
Tier 4	Thomas M. Cooley Law School (MI)	1.3	172.5	162	207	159
Tier 4	Thomas Jefferson School of Law (CA)	1.4	169.5	163	201	162
Tier 4	Western New England College (MA)	1.5	164	164	197	129
Tier 3	University of Montana	2	123	165	194	123
Tier 4	Campbell University (Wiggins) (NC)	1.5	164	166	160	159
Tier 4	Texas Wesleyan University	1.6	159	167	142	162
Tier 4	Mississippi College	1.5	164	168	104	165

Tier 4	Southern University (LA)	1.3	172.5	169	86	170
Tier 4	University of Baltimore	1.9	133	170	85	141
Tier 4	CUNY-Queens College	1.8	143	171	63	167
Tier 4	Texas Southern University (Marshall)	1.5	164	172	43	170
Tier 4	North Carolina Central University	1.5	164	173	15	172.5

**The Emerging Importance of Law Review Rankings for Law School Rankings, 2003-07**  
**Alfred L. Brophy<sup>1</sup>**

Abstract

*The release of the 2007 US News rankings of law schools has set off another round of speculation on the meanings of the rankings and what, if anything, schools can do to improve the quality of the education they provide, as well as their rankings.<sup>2</sup> Drawing upon earlier evidence that there is a close connection between the citation rankings of law reviews and the ranking of their law schools, this paper looks to changes in both the US News rankings and law journal rankings over the past few years. Moreover, there is a connection, though relatively weak, between law reviews that are improving and law schools that are improving. This paper tests and finds some support for a hypothesis that as law schools improve (or decline), there is a corresponding improvement in the quality of their main law journals (as measured by citations in other journals). Thus, if you want to know where a law school is heading, in addition to the glossy material that the school sends out--to announce new hires, student successes, faculty publications, and talks sponsored by the school--one should spend some time studying the scholarship their law review publishes. A final table ranks the main law journals of 173 law schools, according to journal citations.*

This essay follows up on a previous study, which looked at the correlations between law review citations and law school rankings. Its conclusion was important, even if unsurprising: especially for the US News top fifty schools, there is a high correlation (.86) between citations to the schools' main law reviews, as measured by citations in other journals, and the US News peer reputation rank. The previous paper explored correlations between a number of additional measures, such as citations of main law reviews by courts and the US News overall score.<sup>3</sup> This

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I would like to thank Dedi Felman, Daniel M. Filler, and Aviam Soifer for their assistance with this paper.

<sup>2</sup> See, e.g., Bill Henderson, Variation in US News Reputation Over Time, at [http://www.theconglomerate.org/2006/04/variation\\_in\\_us.html](http://www.theconglomerate.org/2006/04/variation_in_us.html)

David Hoffman, If Not Scholarship, What?, at [http://www.concurringopinions.com/archives/2006/04/if\\_not\\_scholars\\_1.html](http://www.concurringopinions.com/archives/2006/04/if_not_scholars_1.html)

Dan Filler, US News Law School Rankings: A Comparison with 1998 and 1995, at: [http://www.concurringopinions.com/archives/2006/04/us\\_news\\_law\\_sch.html](http://www.concurringopinions.com/archives/2006/04/us_news_law_sch.html)

<sup>3</sup> See Alfred L. Brophy, *The Relationship Between Law Review Citations and Law School Rankings*, available at:

[http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=868541](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=868541)

Ronen Perry conducted a similar analysis, but he focused on rankings theory and

paper extends that analysis by looking at changes in rankings of law journals based on citations in other journals from the period from 2002 to 2005 and correlating those changes with changes in US News peer assessment rankings from those released in April 2002 to April 2006 (nominally the 2003 and 2007 rankings). This paper, thus, suggests the importance of law review citation data as a way of gauging the quality of law schools. Then it explores some of the implications of these findings for future rankings. A concluding section provides some suggestions for how law schools can work towards improving their law reviews and, thus, the quality of legal scholarship.

### **I. Recent Scholarship Bringing Precision to Law School Rankings**

The obsession of current and prospective law school students, law school administrators and faculty, and alumni is continuing unabated. Since US News began its survey of law school quality in 1987, it has become—for better or worse—the most popular ranking. And there is increasing evidence that law schools have bent their practices of admission, expenditures, hiring, even their modes of reporting to the ABA in response to the US News rankers. The *New York Times*, for instance, reported in August 2005 about an effort by the University of Illinois Law School to improve its ranking on student expenditures by counting at their full value the lexis and westlaw services provided to its students at a discounted rate.<sup>4</sup> Such actions are, of course, understandable as schools scramble for ways to improve their rankings, which influence recruitment of prospective students and alumni dollars. Students and alumni both want to be on winning teams; and schools that are improving in the rankings are the winners in this business. Thus, the US News rankings become a self-fulfilling prophecy.<sup>5</sup> Much recent scholarship, thus, has focused on the nature of US News rankings and the extent of the gravitational pull that they're exerting on the students and schools.<sup>6</sup>

At the same time, there are increasing efforts to bring more precision to rankings. Paul Caron's and Rafael Gely's instant classic, *What Can Law School Administrators Learn from Billy Beane and the Oakland Athletics*, has begun the serious task of assessing quantitatively who make

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methodology. Hence, he did not focus on the implications of law journal citations for law school rankings. See Ronen Perry, *The Relative Value of American Law Reviews: A Critical Appraisal of Ranking Methods*, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=806144](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=806144)

In fact, Professor Perry's most recent work suggests that there is relatively little difference between journals outside of the top tier. See Ronen Perry, *The Relative Value of American Law Reviews: Refinement and Implementation*, available at [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=897063](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=897063)

<sup>4</sup> See Alex Wellen, *The \$8.78 Million Maneuver*, NEW YORK TIMES (July 31, 2005).

<sup>5</sup> See, e.g., Michael Sauder & Ryon Lancaster, *Do Rankings Matter? The Effects of U.S. News & World Report Rankings on the Admissions Process of Law Schools*, 40 LAW & SOC. REV. 105 (2006) (finding that applicants and matriculants are influenced by US News rankings).

<sup>6</sup> See, e.g., Jeffrey Evans Stake, *The Interplay Between Law School Rankings, Reputations, and Resource Allocation: Ways Rankings Mislead*, 81 INDIANA L. J. 229 (2006).

good faculty and then moving in the direction of hiring those people.<sup>7</sup> Caron and a group of other scholars, including Bernard Black, Jeffrey Stake, and William Henderson, have created a small genre of legal scholarship that focuses on refining quantitative measurements of law schools.<sup>8</sup> The recent *Indiana Law Journal* symposium on the “next generation of law school rankings” provides a comprehensive set of papers evaluating the state of the field.<sup>9</sup> There remains, of course, much skepticism about the rankings mission<sup>10</sup> and particularly about the methods that US News uses.<sup>11</sup> And so scholars like those named above, as well as J. Gordon Hylton, are proposing alternative rankings methods.<sup>12</sup> One factor that those papers did not address, however, is the utility of law review rankings to law school rankings.

This paper follows up on previous analysis and looks at the relationship between law review citations and law school peer assessments (as measured by US News’ peer assessment rankings) over time. It uses the US News data for 2003 and 2007, which was released in April 2002 and April 2006 respectively, and John Doyle’s Washington and Lee Law Library citation data for 2002

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<sup>7</sup> See Paul Caron & Rafael Gely, *What Law Schools Can Learn from Billy Beane and the Oakland Athletics*, 82 TEX. L. REV. 1483 (2004) (using Michael Lewis, *Moneyball: The Art of Winning an Unfair Game* (2003) as the starting-point of an essay on how to quantify faculty performance).

<sup>8</sup> See, e.g., Bernard S. Black & Paul L. Caron, *Ranking Law Schools: Using SSRN to Measure Scholarly Performance*, 81 INDIANA L. J. 83 (2006); Lawrence A. Cunningham, *Scholarly Profit Margins and the Legal Scholarship Network: Reflections on the Web*, 81 INDIANA L.J. 271 (2006); Theodore Eisenberg, *Assessing the SSRN-Based Law School Rankings*, 81 INDIANA L.J. 285 (2006).

<sup>9</sup> Paul Caron & Rafael Gely, *Dead Poets and Academic Progenitors: The Next Generation of Law School Rankings*, 81 INDIANA L. J. 1 (2006).

<sup>10</sup> Rachel F. Moran, *Of Rankings and Regulation: Are the U.S. News & World Report Rankings Really a Subversive Force in Legal Education?*, 81 INDIANA L. J. 383 (2006); Alex M. Johnson, Jr., *The Destruction of the Holistic Approach to Admissions: The Pernicious Effects of Rankings*, 81 INDIANA L. J. 309 (2006).

<sup>11</sup> See, e.g., Brian Leiter, *How to Rank Law Schools*, 81 INDIANA L.J. 47 (2006). Professor Brian Leiter has worked tirelessly to bring precision to measuring the quality of law school faculty. See, e.g., Brian Leiter, *Measuring the Academic Distinction of Law Faculties*, 29 J. LEGAL STUDIES 451, 468-75 (2000) (measuring scholarly impact by citations). For extensive postings on his research: <http://www.utexas.edu/law/faculty/bleiter/rankings/rankings03.html>

<sup>12</sup> See, e.g., J. Gordon Hylton, *The US News and World Report Rankings Without the Clutter*, available at: [http://www.elsblog.org/the\\_empirical\\_legal\\_studi/files/the\\_us\\_news\\_and\\_world\\_report\\_rankings\\_without\\_the\\_clutter.pdf](http://www.elsblog.org/the_empirical_legal_studi/files/the_us_news_and_world_report_rankings_without_the_clutter.pdf)

and 2005, which measures the periods of 1995-2002 and 1998-2005 respectively.<sup>13</sup>

## **II. Continued Importance of Law Review Citation Rankings and Law School Rankings**

As previous research has shown, there is a high correlation between citations to a school's main law review and its rankings by US News. This is particularly true for the top fifty schools in the 2007 US News rankings. As table 1 shows, there is a high (.87) correlation between rank of journals based on citations and the 2007 US News peer assessment scores. The relationship is also strong (.80) for rank of journals based on their impact (the number of times a work in a journal (article, essay, note, or book review) is cited divided by the number of works published). Impact, thus, helps to correct for the amount that journals publish as an influence on their citations. And there is also a high correlation (.77) between citation rank and US News' school rank. Those correlations are also high for the top 99 schools.<sup>14</sup> Table 2 discloses a correlation of .90 between journal citations and peer assessment scores. But when the schools in the range 51 to 99 are broken out from the analysis, the correlations are not as strong. There is a statistically significant, though weaker, correlation journal citations and US News peer assessment scores (.49) and between journal citations and US News overall score (.45).

As has appeared in the past, the correlations are not as high for schools outside of US News' top 100. For schools in the US News tiers 3 and 4, as table 4 shows, the relationship between journal citations and peer assessment is similar to the schools in the 51-99 range (.52). When the entire set of schools is examined, there is a very high correlation (.90) between peer rating and journal citations; and slightly higher (.91) between journal impact and peer rating. (Table 5.) Figure 1 provides a graphic representation of the relationship between journals rank and peer assessment rank.

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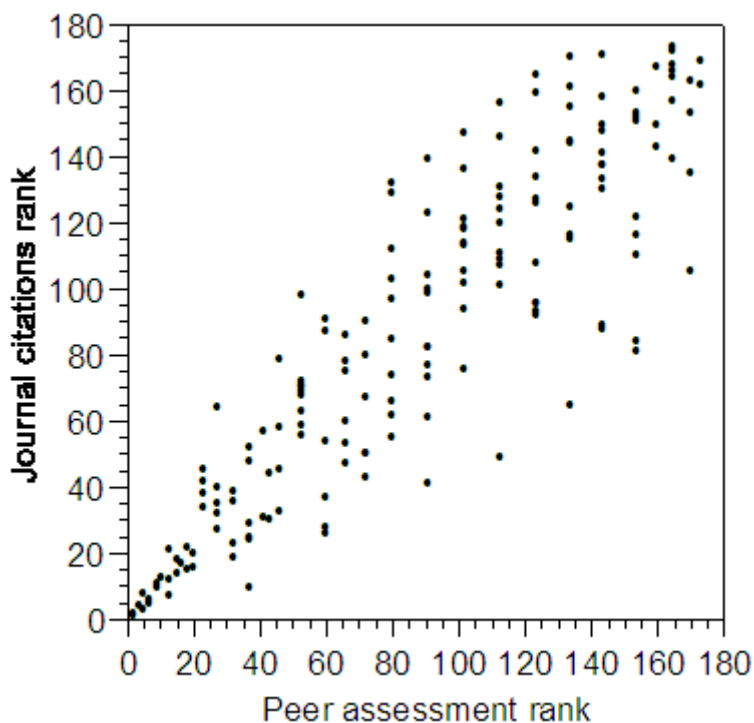
<sup>13</sup> See <http://lawlib.wlu.edu/LJ/index.aspx>

<sup>14</sup> This study focused on all 173 ABA accredited law schools that had a law review in operation as of 1995. It used the US News data published in April 2002 and April 2006 (nominally the 2003 and 2007 data, respectively) and the law review citation data available on the Washington and Lee Law Library website:

<http://lawlib.wlu.edu/LJ/index.aspx>

Because Northeastern does not have a law review, it was excluded from this analysis; similarly, UNLV, Chapman, Florida Coastal, and Franklin Pierce, whose law reviews were not published during the entire period under study here were excluded.

**Figure 1. Journal Rank and Peer Assessment Rank, 173 schools**



### **III. Changing Law Review Citation Rankings, 2002-2005**

This study also looks to changes in the journal ranks over the last four years.<sup>15</sup> It compares the Washington and Lee Law Library study of citations for 1995-2002 and 1998-2005. Over that period, of the 173 law reviews studied, the largest increase in rank was 54 places and the largest drop in rank was 42. The mean difference, obviously, was 0; the standard deviation was 15.04, meaning that two-thirds of the reviews changed no more than fifteen places in citation rankings. The data disclose more fluidity in law review rankings than in law school rankings, however.<sup>16</sup>

The schools are ranked in table 6 by amount of change in journal citation rank. It discloses a surprisingly static list, which suggests (as does the high correlation between citations and law school reputation) that the citations are a good indicator of school quality. That is, journals quality

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<sup>15</sup> The tables also report data on changes in citations to journals by courts, but this draft makes little use of that data. There are, as is apparent from tables 1 to 5, a consistently smaller correlation between citations to journals by courts than citations to journals by other journals. It is worth some consideration of the reasons for those differences, at a later date.

<sup>16</sup> By comparison, for instance, the difference between 2003 US News peer assessment rank and the 2007 peer assessment rank has a standard deviation of only 6.79 (and, of course, a mean of 0). That is, two-thirds of the schools changed their peer assessment rank less than 7 places.

is fairly consistent over time. Some factors apparently continue, across time, to be important in placing high (or low) performing articles in the same set of law journals. Or at least in helping high performing journals to continue to be high-performing and vice versa.

There are, of course, some journals that have made great strides in recent years in citations. Using table 6, one may create a list of the sixteen journals that improved their rank in citations by other journals at least twenty places from 2002 to 2005. The leader is *Michigan State Law Review* (previously the *Detroit College of Law Review*), which improved fifty-four places in four years.<sup>17</sup> *Lewis and Clark Law Review*, which was started in the 1990s, improved forty-nine places;<sup>18</sup> *William Mitchell Law Review*, which also performs dramatically better than the rank of its law school would predict (it is in US News' fourth tier), improved by more than forty places. And three reviews of major state schools—*George Mason Law Review*, the *Alabama Law Review*, and the *Florida Law Review*—all improved dramatically.<sup>19</sup> All three have benefitted from strong hiring in

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<sup>17</sup> *Michigan State Law Review* has published strong symposia, such as one on takings. See, e.g., James W. Ely, Thomas Cooley, "Public Use," and *New Directions in Takings Jurisprudence*, 2004 MICH. STATE L. REV. 845; Lee Anne Fennell, *Taking Eminent Domain Apart*, 2004 MICH. STATE L. REV. 957.

<sup>18</sup> The *Lewis and Clark Law Review*, ranked 100, is now performing closer to where one would expect, given its US News ranking (77). It has come on strong with articles by leading scholars. See, e.g., Carol M. Rose, *Environmental Law Grows Up (More or Less), and What Science Can Do to Help*, 9 LEWIS & CLARK L. REV. 273 (2005); Eric R. Claeys, Raich and *Judicial Construction At the Close of the Rehnquist Court*, 9 LEWIS & CLARK L. REV. 791 (2005). And given its strong publication record, look for its ranking to continue to climb.

<sup>19</sup> In the case of *George Mason University Law Review*, they have taken advantage of their school's focus on law and economics, as well as other interdisciplinary scholarship. See, e.g., Ronald A. Cass & Keith N. Hylton, *Preserving Competition: Economic Analysis, Legal Standards, and Microsoft*, 8 GEO. MASON U. L. REV. 1 (1999); Logan Everett Sawyer, *Jurisdiction, Jurisprudence, and Legal Change: Sociological Jurisprudence and the Road to International Shoe*, 10 GEO. MASON U. L. REV. 59 (2001).

The *Florida Law Review* has had well-rounded articles by leading scholars, see, e.g., Stephen A. Siegel, *The Conscientious Congressman's Guide to the Electoral College Act*, 56 FLA. L. REV. 541 (2004); Heidi Kitrosser, *Containing Unprotected Speech*, 57 FLA. L. REV. 843 (2005).

The *Alabama Law Review* has benefitted in particular from papers from distinguished senior scholars, see, e.g., Lisa Heinzerling, *Risking it All*, 57 ALA. L. REV. 103 (2005), Jonathan Simon, *Risk and Reflexivity: What Socio-Legal Studies Add to the Study of Risk and the Law*, 57 ALA. L. REV. 119 (2005), as well as exceptionally thoughtful student notes. See, e.g., Amy Leigh Wilson, *A Unifying Theme or Path to Degradation: The Jazz Influence in American Property Law*, 55 ALA. L. REV. 425 (2004); Kitty Rogers, *Integrating the City of the Dead: The Integration of Cemeteries and the Evolution of Property Law, 1900-1969*, 56 ALA. L. REV. 1153 (2005); Grace Long, *The Sunset of Equity*, 57 ALA. L. REV. 875 (2006).



recent years and the improvement in law reviews is probably indicative of their growth.<sup>20</sup> All three reviews are all still performing somewhat behind their schools' US News rank, but one reasonably expects that in the next several years those reviews will be ranked at or above their schools' US News ranking.<sup>21</sup> Other significant improvers included the *Boston College Law Review* (24 places), *Akron Law Review* (28 places), the *Indiana Law Review* (27 places),<sup>22</sup> and the *University of Hawaii Law Review* (17 places). All those reviews are also associated with schools that are performing well and improving, even if US News has not yet recognized the improvements. Look for those schools to have increasing peer assessments in future US News evaluations.

There are, conversely, twelve law reviews that have fallen more than twenty places since 2002, which appear at the end of table 6. Several of those that fell the furthest had a particularly strong run in the mid and late 1990s, such as the *South Texas Law Review*, which had done remarkably well in citations; it was ranked 59 in 2002. And *South Texas Law Review* is still ranked well (81), significantly above its US News ranking. The *South Texas Law Review* continues to outperform its school, just not at the same level as it had in 2002. Those high rankings are hard to sustain over a long term. There may be other explanations for some of the declining performance of other journals. For instance, the *Montana Law Review* declined forty-two places since 2002. Perhaps the explanation is that the *Montana Law Review* is focused largely on Montana law.<sup>23</sup> It is difficult to get citations in other journals with such a focus, but it probably makes sense to focus on that niche. And it likely serves a critical function for the Montana bench and bar.

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<sup>20</sup> See, e.g., *A Law School With A Twist: At George Mason University, the Left Doesn't Reign, Believe It or Not*, NATIONAL REVIEW (March 2006) (referring to George Mason University Law School's hiring of strong faculty).

<sup>21</sup> Alabama, George Mason, and Florida were all ranked 41 in the 2006 US News rankings. In 2007, George Mason was ranked 37; the University of Florida was ranked 41, and the University of Alabama was ranked 43; so their numbers may reflect the growing intellectual culture, as well as the legal education community's sense that those are schools of growing prominence (and hence desirable places to publish). In the case of the *Alabama Law Review*, the review is ranked (54) slightly ahead of the school's peer assessment ranking, although it still lags the University of Alabama's overall US News ranking. The *George Mason Law Review* and the *University of Florida Law Review* still rank far behind their schools' peer assessment ranking (59.5 and 36.5 respectively).

<sup>22</sup> The *Indiana Law Review* has not only improved; it is ranked substantially ahead of its parent institution.

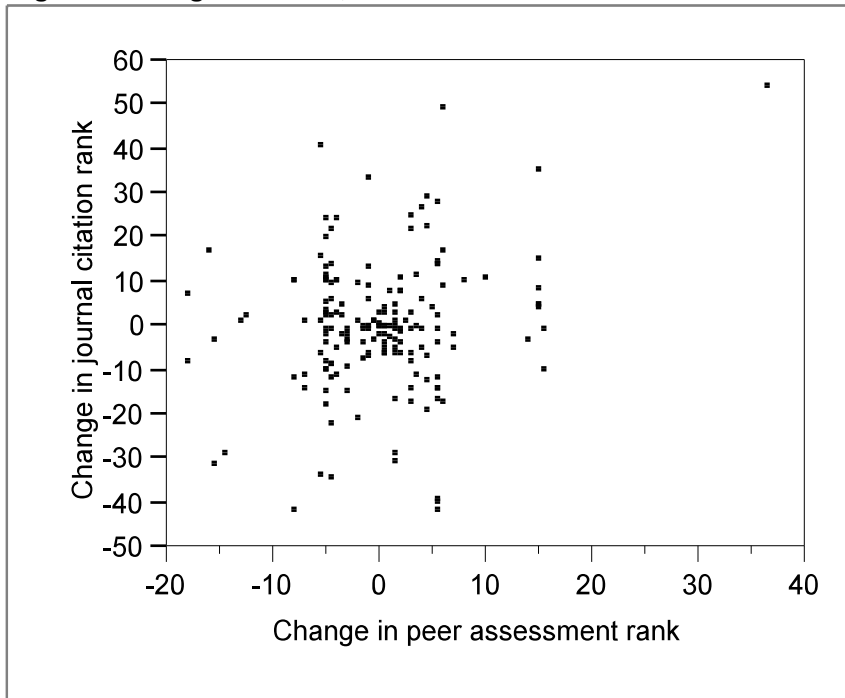
<sup>23</sup> As their web-site states, The *Montana Law Review*, a legal periodical published semiannually, is the principal means of communication to the Montana Bar on Montana law. It includes case notes, comments, and recent developments by students and articles by judges, practitioners, and professors. The principal funding for the Law Review is provided by the State Bar of Montana as a service to the members of the Bar and to legal education.  
<http://www.umt.edu/mlr/>

#### IV. Changing Relationship Between Law Review Citation Rankings and Law School Rankings

Given that data on changes in law review citations, the next step is comparing the relationship between changes in law journal citations and law school rankings. Figure 2 provides a graphic depiction of the changes. It plots changes in peer assessment ranking along the x axis and changes in law journal citation ranking along the y axis. The working hypothesis is that—given the close relationship between law journal citations and law school rankings, we ought to see those two changing together over time. Thus, I hoped to see that as schools improved in ranking (schools on the right of side of the x axis) there would be a corresponding increase in law review citation ranking (schools on the top of the y axis). And one might also predict a decrease in rankings would correspond to loss of law journal rank. Thus, I had hoped to see a preponderance of schools in the upper right and lower left quadrants. In fact, there is a small, though statistically significant correlation (.21,  $p=.0052$ ), between changes in law review citation rank and law school rank.<sup>24</sup>

One reason that the correlation may not be stronger is that the relatively narrow time under study here—four years. Perhaps there has not been enough time to see the changes associated with changing quality of law schools and law reviews. Quite simply, four years may not provide enough time to see the positive effects of a good law journal on a school's reputation and vice versa.

**Figure 2 Change in Ranks, 173 Schools and Their Reviews**



<sup>24</sup> The correlation between difference in ranks for journal citations (1995-2002 vs 1998-2005) and for peer ratings (2002 vs 2007) for the US News top 99 schools was even weaker (.1748) and not even statistically significant ( $p = .0836$ ) ( $N=99$ ).

By looking at table 6, one can gain an appreciation for some of the data. There are certainly some schools that are on the move in terms of journal rankings and in many instances there are positive moves in terms of journal rank as well. Michigan State, Lewis and Clark, George Mason, University of Florida, University of Akron, Indiana University–Indianapolis are the most prominent here. Then there are other schools whose law reviews are moving upward at a fast rate of climb—the University of Alabama, Boston College, and DePaul—even though those positive changes are not reflected in positive changes in peer assessment. Obviously, the fit between improvements in law reviews and changes in the notoriously static peer assessments, will be imperfect.<sup>25</sup> In some cases, like the *Alabama Law Review* and the *Boston College Law Review*, those reviews are catching up in terms of citations to already well-regarded schools. Both journals dramatically increased their rankings, even as the peer assessment rankings of their parent institutions stayed relatively flat. Given the gap between reality and perception, one hopes that as those journals continue to improve in ranking, there will be a corresponding increase in peer assessment scores.

There are some prominent cases where there is convergence between peer assessment and journal ranking. And in some cases that means that peer assessment is increasing even as journal rank is falling. For example, the *Fordham Law Review*, which was ranked at the astronomical 7 in 2002 and has now fallen to 9.5, has increased its peer assessment ranking. Similarly, the *Albany Law Review*'s rank has fallen 17 places (from 32 to 49), even as its peer assessment rank has increased 3 places (to 112). However, as with the *Fordham Law Review*, it is still performing well ahead of its parent institution. Thus, there has been some convergence. Such was the case with the *University of Illinois Law Review*, which increased 13 places (to 27), while its peer assessment decreased 5 places (to 27). And the University of Illinois is now ranked 27 by US News—so one may feel some confidence in saying it's at equilibrium at 27 across the board.

In some cases, schools simply do not fit the model at all. In a period when the *Maryland Law Review* fell 31 places (from 48 to 79), it improved its peer assessment rank by 1.5 places (to 45.5); and when the *University of Denver Law Review* fell 40 places (to 112), it improved its peer assessment rank by 5.5 places (to 79.5). Conversely, several law reviews significantly improved their rankings, even as their peer assessment ranks, which were already behind their law review's ranking, decreased. The *William Mitchell Law Review* improved 40.5 places (to 65), while its peer assessment decreased by 5.5 places (to 133) and the *New England Law Review* improved 14 places to 84, while its peer assessment decreased 4.5 places (to 153). Alas, some schools just don't fit the model at all.

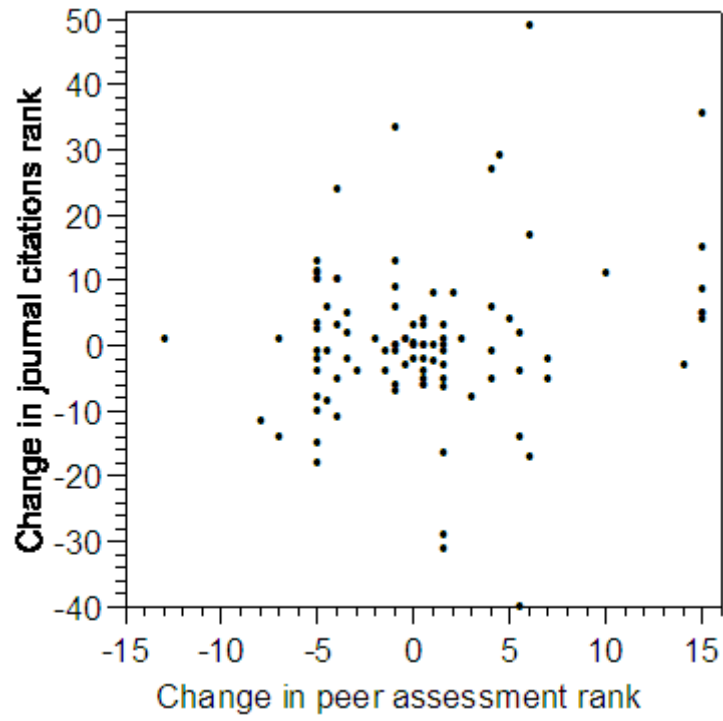
Figures 3 and 4 give plot of sub-sets of the data: the changes in peer assessment ranks and law review citation ranks for schools in the US News top 99 and in the US News third and fourth tiers. One might expect the third and fourth tier journals to have a larger variance in quality over the years than journals at top ranked schools. Those journals might be particularly susceptible to variations in quality, due to luck in selecting articles that are cited heavily. And because they generally have fewer citations than journals at top ranked schools, getting a few heavily cited articles can cause them to move up in ranking dramatically. There is a weak (.2270) relationship between changes in citations and changes in peer assessment, which is not statistically significant

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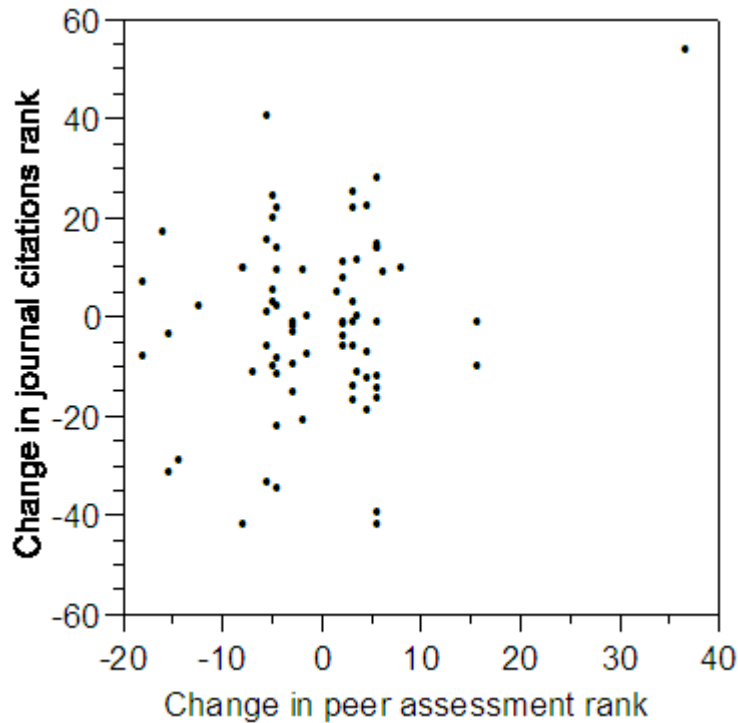
<sup>25</sup> Richard Schmalbeck, *The Durability of Law School Reputations*, 48 J. LEGAL ED. 568 (1998).

( $p=.0518$ ).

**Figure 3. Change in Ranks, Top 99 Schools and their Reviews**



**Figure 4. Change in Ranks, Schools in Tiers 3 and 4 and their Reviews**



**As to the future.** In some cases, like the *DePaul Law Review*, the *Albany Law Review*, the *Houston Law Review*, and the *South Texas Law Review*, reviews are performing well ahead of their parent institutions. And there may be some convergence between the peer assessment the law journal ranking. For instance, DePaul has just been ranked 80, up from the third tier in the 2006 US News ranking, perhaps in part due to the *DePaul Law Review*'s continued success in citations. The *DePaul Law Review* is now ranked 41 in citations by other journals. One might expect that those schools whose journals are listed in table 7, the most under-valued law journals in the top 100 journals, to be ripe for further re-examination for an improvement in ranking. In particular, Albany and Hofstra are ripe for consideration in the top 100, given that their law reviews are performing better than the reviews of 51 and 49 schools in the US News Top 100, respectively. One might also look for Catholic and Marquette in the US News Top 100. Both Catholic's and Marquette's peer assessments already place them in the Top 100 and their reviews are ranked 66 and 73. Other schools already in the Top 100 that are ripe for an improvement in the rankings are DePaul, the University of Houston, the University of South Carolina, Chicago-Kent, Cardozo, and Fordham. Michigan State certainly ought to climb from the fourth tier; its peer assessment rating already places it 112 and its law review is ranked 109. One might also look for both William Mitchell and South Texas to rise from the fourth tier. Even though William Mitchell's peer assessment rank is 133 (which places it on the cusp of fourth tier—the lowest forty schools), its law review is ranked 65. South Texas's peer assessment rank is 153 (well into the fourth tier), but its law review is ranked 81. One hopes that the hard work of the *William Mitchell Law Review* and *South Texas Law Review* will be rewarded in an increase in their peer assessment scores.

Table 8 reports the law reviews whose citation rank is noticeably below their parent institutions' US News overall rank. Of course, in several of those cases (Washington and Lee

University, George Washington University, and Washington University in St. Louis) the parent institutions are ranked so highly—precisely because of their vibrant intellectual cultures—that one would not expect a similarly high law journal ranking. Particularly in those cases, citations are only an imperfect measure of law review quality.

#### V. Implications and Prescriptions

So there is a continuing connection between law review rankings and law school rankings. But what should schools and US News and other evaluators make of these results? First, those compiling future rankings might begin to look more seriously at the citation rankings of law reviews. Detailed information on the intellectual culture of an institution is not readily available for schools in the third and fourth tiers; citation data, which is closely associated with first tier schools, might be profitably used to fill out an incomplete picture. And it is at least plausible that a law review quality correlates with the intellectual environment at that review's parent institution. In turn, citations provide an objective, even if imperfect, measure of the quality of the review. And, thus, citation rankings offer an aid in gauging the quality of schools—particularly in the third and fourth tier, where reliable data on intellectual culture of a school may be difficult to obtain.<sup>26</sup>

Second, schools ought to pay close attention to what their law reviews are publishing. Law reviews serve as ambassadors to the rest of the legal academic community. Given the close connections between law review rank and law school quality, schools should be mindful that they are likely to be judged on the basis of their reviews. A good law review, particularly one whose quality is increasing, can bring positive attention to a school. A law review can serve its function of producing and disseminating legal knowledge better if it is publishing better work. One particularly successful way is to hold symposia and publish the papers delivered there. The *William Mitchell Law Review*, which has improved mightily in the last four years, has used symposia very successfully, as have the *Albany Law Review*, the *Cardozo Law Review*, the *Chicago Kent Law Review*, the *DePaul Law Review*, and the *Fordham Law Review*, to name some of the reviews that have significantly out-performed their schools' US News ranking.

Third, those selecting articles should realize that citations are not the only measure of quality. Thus, reviews should carefully select articles for quality. Almost certainly the most influential article that the *Alabama Law Review* ever published (and a contender for inclusion on a short list of the most influential law review articles published anywhere in recent memory) is Susan Hamill's argument for a Christian-centered tax reform. The article, which recounts a detailed empirical study of the effect of state property taxes, played a central role in the (unsuccessful) effort to pass a constitutional amendment to alter property taxes. During the campaign, the article was reprinted as a book, which sold thousands of copies throughout the state. And it was front-page news in the *Wall Street Journal*, the subject of numerous *New York Times* stories and, ultimately, named by the *New York Times Magazine* one of the best ideas of 2002. Measuring its quality by citation counts in law journals would not begin to capture its influence.<sup>27</sup>

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<sup>26</sup> This paper is, thus, part of an attempt to help refine rankings. Cf. Caron and Gely, *supra* note 9; Stephen P. Klein and Laura Hamilton, *The Validity of the US News and World Report Ranking of ABA Law Schools*, available at: <http://aals.org.cnchost.com/reports/validity.html>

<sup>27</sup> Susan Pace Hamill, *An Argument for Tax Reform Based on Judeo-Christian Ethics*, 54 ALA. L. REV. 1 (2002). Hamill's article has been cited a respectable 17 times, but a study of law

It is, of course, difficult to evaluate the quality of an article. Students (or faculty for that matter who are reading in matters outside of their expertise) have only limited ability to evaluate the quality of questions being asked, let alone the way they are answered. So student reviews seem to be turning increasingly towards asking for help from faculty members who are expert in the area. There is anecdotal evidence that students often use the author's institutional affiliation as a proxy for the quality of an article.

But smart and active evaluators can ask some basic questions, which may help them evaluate an article. Some key questions that evaluators should ask include: Does the article say something important and new? Is it a thorough exploration of its topic?<sup>28</sup> Or does it contain only partial analysis of cases or statutes? Does it fairly and completely address competing views? Does it respond with new evidence to an important debate in the literature?<sup>29</sup> Will it be useful to judges, policy makers, or practicing lawyers? Does it help to bridge a gap between theory and practice? Does it answer an important or difficult question, even if very few people will be interested in that question?

At the same time, editors should look for the hallmarks of poorer scholarship. Does the work tread ground previous scholars have explored? Can you identify any significant number of new ideas or new data—or have we heard this story (perhaps in better form) somewhere else? Does the article read like the ranting of someone who's spent too much time watching the O'Reilly Factor? Editors ought to be able to answer with some specificity: why would someone want to read

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reviews citations does not begin to do it justice. *See, e.g.,* Adam Cohen, *What Would Jesus Do? Sock It to Alabama's Corporate Landowners*, NEW YORK TIMES (June 10, 2003); Shailagh Murray, *Divinity School Article Debates Morality of Alabama Tax-Code*, WALL STREET JOURNAL 1 (February 12, 2003).

On contenders for the most influential law review articles, see Daniel J. Solove, *What Articles Had a Major Influence on Law* (November 27, 2005), [http://www.concurringopinions.com/archives/2005/11/law\\_review\\_arti.html](http://www.concurringopinions.com/archives/2005/11/law_review_arti.html) and [http://prawfsblawg.blogs.com/prawfsblawg/2005/04/most\\_important\\_.html](http://prawfsblawg.blogs.com/prawfsblawg/2005/04/most_important_.html)

<sup>28</sup> Articles that are beginning an exploration of a new topic may be quite good, even though the field has not yet developed to the stage where the work can be comprehensive. That work may in turn invite further analysis. For example, Eric Posner and Adrian Vermeule published a suggestive (even if in the opinion of several responders incomplete) analysis of reparations. *See Reparations for Slavery and Other Historical Injustice*, 103 COLUM. L. REV. 689 (2003). Several responses suggest other lines of analysis that are missing from the article. *See* Roy Brooks, *Getting Reparations Right: A Response to Posner and Vermeule*, 80 NOTRE DAME L. REV. 251 (2004); Alfred L. Brophy, *Reconsidering Reparations*, 81 INDIANA L. J. 813 (2006).

<sup>29</sup> Eugene Volokh has provided an excellent introduction to creating (and evaluating) student work in *Writing a Student Article*, 48 J. LEGAL ED. 247 (1998). He expands those insights in Eugene Volokh, *ACADEMIC LEGAL WRITING: LAW REVIEW ARTICLES, STUDENT NOTES, AND SEMINAR PAPERS* (2003). Students on the *Alabama Law Review* and I suspect a great many other journals are required to read Volokh's article.

the article?

Part of this involves getting a “feel” for the article or what we might call the “academic hunch.”<sup>30</sup> Or, take advice from that unlikely but important source, John Muir’s classic *How to Keep Your Volkswagan Alive*. He gives advice on how to buy a VW, which may not be that different from deciding which articles to accept:

First, look at it. Does it sag and look beat? Walk all around it looking for rough spots, wrinkles and bumps. Has it rusted out under the odors? Do the doors open and close well? Does it look like it has been hit? Do the compartment doors open and close? Do the windows work? Check all the lights—brake, signal, head and interior.

...

Open the engine compartment. Is it clean? Remember that this is an air-cooled car and the cooling air comes through the engine compartment. If the engine and its compartment are filthy, the loss in cooling efficiency will soon cause repairs. . . . Look at the bottom of the engine. Is it oily and dirty? Be cold! Be objective! You are macroscopically examining a possible new member of your family and the choice is really yours.

...

If you were lucky you were able to do all this without the owner or salesperson fast-talking you; if not, tell them you want a little time with the car alone, then do it. . . . [L]et your mind and feelings go over the car and the idea of the car. What has its Karma been? Can you live with the car? Walk around or find a quiet place, assume the good Lotus and let the car be the thing.<sup>31</sup>

Think of the VW as a metaphor for the article under consideration. And the upshot is to think seriously about whether the quality of research, writing, and general argument are such that you will be proud to have it be part of your law review’s stable. Will it reflect well on the journal and the school? There is a limit to how much you want to rely on hunches, however. For sometimes when students select articles without vetting them they end up with real train wrecks. Some years ago the *Wayne Law Review* published an article that purported to take down the Coase theorem.<sup>32</sup> To their credit, when the editors and faculty at Wayne State realized what they had done, they published an extensive symposium that both rebutted the article and explored the problems with student-edited law reviews.<sup>33</sup> There was some possibility that the *Wayne Law Review* symposium might mark a

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<sup>30</sup> Cf. Joseph C. Hutchinson, Jr., *The Judgment Intuitive: The Function of the "Hunch" in Judicial Decisions*, 14 CORNELL L. Q. 275 (1928).

<sup>31</sup> JOHN MUIR & TOSH GREG, HOW TO KEEP YOUR VOLKSWAGEN ALIVE 21-22 (1969).

<sup>32</sup> Dan Posin, *The Coase Theorem: If Pigs Could Fly*, 37 WAYNE L. REV. 89 (1990).

<sup>33</sup> See, e.g., Barry Currier & Jeffrey Harrison, *Pigs with Wings: A Comment on Posin's 'Refutation' of the Coase Theorem*, 38 WAYNE L. REV. 21 (1991); Lloyd R. Cohen, *On Judging Whether to Publish Articles that Claim to Refute the Coase Theorem: Analogies to Bayesian Methods*, 38 WAYNE L. REV. 15 (1991); Thomas Ulen, *Flogging a Dead Pig: Professor Posin on the Coase Theorem*, 38 WAYNE L. REV. 91 (1991); Stewart J. Schwab, *Coase, Rents, and Opportunity Costs*, 38 WAYNE L. REV. 55-74 (1991). Professor Posin had a response. See



point in student-edited reviews. Alas, the process of reform takes much longer. One reform that seems to be emerging is the increasing faculty interest in law reviews. Given that law schools provide the funding for the reviews and that the reviews reflect on the schools, the law schools have great institutional interests in the quality of their reviews. Law review accountability will likely be an increasing topic at many schools in the near future.

Moreover, those who have the power to select articles ought to learn about what successful legal scholarship looks like. There are some really terrific models out there, of work that ask interesting questions and answer them with rich, thoughtful analysis, as well as ones that handle in facile and useful ways complex doctrine. Think about articles that have been assigned in classes or excerpted in casebooks.<sup>34</sup> Ask faculty to recommend successful models. Ask what articles were helpful to students in writing their notes. Walk through the law library and pull off some recent volumes of leading law journals: what questions are authors addressing in the *Harvard Law Review*, the *Columbia Law Review*, and the *Yale Law Journal*? How about the *Texas Law Review*, *Vanderbilt Law Review*, *Boston University Law Review*, and the *Indiana Law Journal*? And what do articles in journals that have been successful in recent years in gaining market share look like? What, for instance, are *Michigan State*, *Lewis and Clark*, *William Mitchell*, the *Alabama Law Review* and the *Florida Law Review* publishing?

Perhaps the article is on an esoteric subject and it looks as though there will be relatively few citations; that is not reason to pass it by. There is some really terrific scholarship out there, which has difficulty finding a home. And it's a major credit to those journals that ultimately accept it. Even if something doesn't immediately get a lot citations, a terrific article (or book review) may live on for decades, building good will for the journal. In the area I know well, legal history, some works continue to gain citations and gain attention decades later. Some are legendary, like Morton Horwitz' essay review "The Conservative Tradition in American Legal Historiography," which

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*Bringing Home the Bacon: A Response to Critics*, 38 WAYNE L. REV. 107 (1991).

<sup>34</sup> Because my areas of teaching and scholarship include property and wills, my examples come from those areas. One might want to look for the next article along the lines of Susanah Blumenthal, *The Deviance of the Will: Policing the Bounds of Testamentary Freedom in Nineteenth Century America*, 119 HARV. L. REV. (2006); Charles J. Donahue, *What Causes Fundamental Legal Ideas? Marital Property in England and France in the Thirteenth Century*, 78 MICH. L. REV. 59 (1979); Thomas P. Gallanis, *The Rule Against Perpetuities and the Law Commissioner's Flawed Philosophy*, 59 CUMB. L.J. 284 (2000); Patty Gerstenblith, *Identity and Cultural Property: The Protection of Cultural Property in the United States*, 75 B.U. L. REV. 559 (1995); Richard Chused, *Euclid's Historical Imagery*, 51 CASE WESTERN RESERVE L. REV. 597 (2001); Richard H. Helmholz, *Realism and Formalism in the Severance of Joint Tenancies*, 77 NEB. L. REV. 1 (1998); Stewart Sterk, *Neighbors in American Land Law*, 87 COLUM. L. REV. 55 (1987); William M. Treanor, *The Original Understanding of the Takings Clause and the Political Process*, 95 COLUM. L. REV. 782 (1995); Joan Williams, *The Rhetoric of Property*, 83 IOWA L. REV. 277 (1998).

appeared in 1973 in the *American Journal of Legal History*.<sup>35</sup> The focus should be on the quality of the argument and the research and citations will, in many cases, follow.

A journal that acquires a reputation for printing thoughtful, well-researched articles will be a credit to the review's school. And will do a service to the legal academic community.

#### **Epilogue: Focusing on the Student-Edited Law Review**

So I hope that an increased focus on law review citations—and what law reviews are publishing—will cause faculty to take their reviews more seriously. Ideally, with more faculty input the quality will increase. And that will have some benefits for the production of legal knowledge. Perhaps the experience of editors on law reviews will also be better, because they will have more interaction with faculty. And I hope those schools that have picked articles in a thoughtful fashion will be rewarded, with an increase in their ranking. And perhaps a focus on what a school's review is publishing will help enhance the school's scholarly community.

There are complaints about law reviews beyond number in the academy. But there seems to be little done to reform the system.<sup>36</sup> Faculty attack reviews;<sup>37</sup> students and recent graduates who

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<sup>35</sup> 17 AM. J. LEGAL HIST. 275 (1973). There are many other gems that do not garner the hundreds of citations they would if there were in more popular areas, because they are in an area like legal history, which has few adherents. However, those articles continue to be cited and discussed in some circles, for *years*. Among the many articles that one might cite in this category, *see, e.g.*, Christine Desan, *The Constitutional Commitment to Legislative Adjudication in the Early American Tradition*, 111 HARV. L. REV. 1383 (1998); William W. Fisher, *Ideology, Religion, and the Constitutional Protection of Private Property, 1760-1860*, 39 EMORY L. J. 65 (1990); Daniel Hulsebosch, *Writs to Rights: "Navigability" and the Transformation of the Common Law in the Nineteenth Century*, 23 CARDOZO L. REV. 1049 (2002); J. Gordon Hylton, *The African-American Lawyer, The First Generation: Virginia as a Case Study*, 56 U. PITT. L. REV. 107 (1994); Robert. Kaczorowski, *Common Law Background of 19th Century Tort Law*, 51 OHIO STATE L. J. 1127 (1990); Mari J. Matsuda, *Law and Culture in the District Court of Honolulu, 1844-1845: A Case Study of the Rise of Legal Consciousness*, 32 AM. J. LEGAL HIST. 16 (1988); Stephen A. Siegel, *The Marshall Court and Republicanism*, 67 TEXAS L. REV. 903 (1988) (reviewing G. EDWARD WHITE, *HISTORY OF THE SUPREME COURT OF THE UNITED STATES: THE MARSHALL COURT AND CULTURAL CHANGE, 1815-35* (1988)); Tony A. Freyer, *Reassessing The Impact Of Eminent Domain In Early American Economic Development*, 1981 WISCONSIN L. REV. 1263. Then, every once in a while, legal history pieces gets the citations they deserves, even in the short term. *See, e.g.*, Adrienne D. Davis, *The Private Law of Race and Sex: An Antebellum Perspective*, 51 STANFORD L. REV. 221-288 (1999); Kenneth W. Mack, *Rethinking Civil Rights Lawyering and Politics in the Era Before Brown*, 115 YALE L. J. 256 (2005). So sometimes doing the right thing—in terms of scholarship—is rewarded.

<sup>36</sup> Professor Lindgren has provided useful counsel on avenues to reform. *See* James Lindgren, *Reforming the American Law Review*, 47 STAN. L. REV. 1123 (1995).

<sup>37</sup> *See, e.g.*, James A. Lindgren, *An Author's Manifesto*, 61 U. Chi. L. Rev. 527 (1994); Richard A. Posner, *The Future of the Student-Edited Law Review*, 47 STAN. L. REV. 1131 (1995). Judge Posner has recently made his case through the pages of *Legal Affairs*. *See* Richard A. Posner,

have been successful at the law review game defend it.<sup>38</sup> A few faculty take their marbles and go to play elsewhere in leading peer-reviewed journals--like the *Journal of Legal Studies*, *Journal of Law and Economics*, *Journal of Empirical Legal Studies*, *Journal of Legal Education*, *Law and History Review*, *Legal Theory*, and *Supreme Court Economic Review*--which may be where the legal academy is heading. But at the very least, it seems that law reviews will be with us for a very long time. Indeed, I suspect that the bluebook and law reviews will survive for eons. They will, I guess, be what some archeologists in the distant future will look back to, to gain a sense of our culture. And if we can't beat them, we might as well join them--and then try to assist them in making the very best decisions possible.

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*Against the Law Reviews*, LEGAL AFFAIRS (November-December 2004), available at:  
[http://www.legalaffairs.org/issues/November-December-2004/review\\_posner\\_novdec04.msp](http://www.legalaffairs.org/issues/November-December-2004/review_posner_novdec04.msp)

<sup>38</sup> See, e.g., Natalie C. Cotton, *The Competence of Students as Editors of Law Reviews: A Response to Judge Posner*, 154 U. PA. L. REV. 951 (2006); James W. Harper, *Why Student-Run Law Reviews?*, 82 MINN. L. REV. 1261 (1998); Jonathan Mermin, *Remaking Law Review*, 56 RUTGERS L. REV. 603 (2004).

**Table 1.** USNews 2007 data, 50 Top-Ranked schools

	1	2	3	4	5	6	7
School rank	1.00	-.94	-.93	-.91	-.77	-.60	-.80
Overall score	-.94	1.00	.96	.94	.87	.67	.85
Peer rating	-.93	.96	1.00	.96	.87	.66	.86
Law/Judge rating	-.91	.94	.96	1.00	.84	.64	.81
Journal citations	-.77	.87	.87	.84	1.00	.86	.82
Case citations	-.60	.67	.66	.64	.86	1.00	.59
Impact	-.80	.85	.86	.81	.82	.59	1.00

N = 50

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

**Table 2.** USNews 2007 data, 99 top-ranked schools

	1	2	3	4	5	6	7
School rank	1.00	-.93	-.93	-.87	-.78	-.58	-.83
Overall score	-.93	1.00	.97	.94	.90	.69	.91
Peer rating	-.93	.97	1.00	.94	.90	.67	.91
Lawyer/Judge rating	-.87	.94	.94	1.00	.85	.63	.86
Journal citations	-.78	.90	.90	.85	1.00	.83	.89
Case citations	-.58	.69	.67	.63	.83	1.00	.65
Impact	-.83	.91	.91	.86	.89	.65	1.00

N = 99

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

(Largest rank is 99, not 100, because Northeastern, which was tied for rank 87, was excluded, and ranks were recalculated for the remaining 99 schools.)

**Table 3.** USNews 2007 data, Schools Ranked 51-99

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	1	2	3	4	5	6	7
School rank	1.00	-.99	-.77	-.14	-.45	-.12	-.47
Overall score	-.99	1.00	.74	.14	.44	.13	.44
Peer rating	-.77	.74	1.00	.14	.49	.11	.53
Law/Judge rating	-.14	.14	.14	1.00	-.15	-.22	.03
Journal citations	-.45	.44	.49	-.15	1.00	.35	.67
Case citations	-.12	.13	.11	-.22	.35	1.00	.19
Impact	-.47	.44	.53	.03	.67	.19	1.00

N = 49

1. School rank (averaged)
2. Overall score
3. Peer rating
4. Lawyer/Judge rating
5. Journal citations, 1998-2005
6. Case citations 1998-2005
7. Impact 1998-2005

For n = 49,  $|r| \geq .28$  is significant at .05 level.

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**Table 4.** USNews 2007 data, 74 Tier 3 and Tier 4 schools

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	1	2	3	4	5
Peer rating	1.00	.73	.52	.23	.38
Law/Judge rating	.73	1.00	.36	.27	.26
Journal citations	.52	.36	1.00	.41	.66
Case citations	.23	.27	.41	1.00	.29
Impact	.38	.26	.66	.29	1.00

N = 74

1. Peer rating
2. Lawyer/Judge rating
3. Journal citations, 1998-2005
4. Case citations 1998-2005
5. Impact 1998-2005

For n = 74,  $|r| \geq .23$  is significant at .05 level.

**Table 5.** USNews 2007 data, 173 schools

	1	2	3	4	5
Peer rating	1.00	.94	.90	.71	.91
Law/Judge rating	.94	1.00	.83	.67	.85
Journnal citations	.90	.83	1.00	.82	.91
Case citations	.71	.67	.82	1.00	.70
Impact	.91	.85	.91	.70	1.00

N = 173

1. Peer rating
2. Lawyer/Judge rating
3. Journal citations, 1998-2005
4. Case citations 1998-2005
5. Impact 1998-2005

**Table 6. Table 6. Changes in Law Review Citation Rank and Peer Assessment Rank, Journals Citation Rank for 1998-2005, and 2007 US News School Rank**

	USNews rank	School	Change in rank		
			Journal citations	Peer assess	Journal citations rank
1	Tier 4	Michigan State University	54	36.5	109
2	77	Lewis and Clark College (Northwestern) (OR)	49	6	100
3	Tier 4	William Mitchell College of Law (MN)	40.5	-5.5	65
4	37	George Mason University (VA)	35.5	15	70
5	43	University of Alabama-Tuscaloosa	33.5	-1	54
6	41	University of Florida (Levin)	29	4.5	52
7	Tier 3	University of Akron (OH)	28	5.5	88
8	77	Indiana University-Indianapolis	27	4	50.5
9	Tier 3	University of Arkansas-Little Rock (Bowen)	25	3	101
10	Tier 3	University of Louisville (Brandeis) (KY)	24.5	-5	119
11	27	Boston College	24	-4	36
12	Tier 3	Drake University (IA)	22.5	4.5	95.5
13	Tier 4	Capital University (OH)	22	-4.5	110
14	Tier 3	Loyola University New Orleans 12	22	3	128
15	Tier 3	University of Missouri-Kansas City	20	-5	102
16	93	University of Hawaii (Richardson)	17	6	139.5
17	Tier 3	University of Maine	17	-16	136
18	Tier 3	Washburn University (KS)	15.5	-5.5	115
19	80	St. John's University (NY)	15	15	77
20	Tier 4	Widener University (DE)	14.5	5.5	149.5
21	Tier 3	Hofstra University (NY)	14	5.5	55
22	Tier 4	New England School of Law (MA)	14	-4.5	84
23	Tier 3	Syracuse University (NY)	14	5.5	103
24	60	Illinois Institute of Technology (Chicago-Kent)	13	-1	28
25	27	University of Illinois-Urbana-Champaign	13	-5	27
26	97	University of Mississippi	11.5	-5	147
27	Tier 4	Regent University (VA)	11.5	3.5	153.5
28	Tier 4	California Western School of Law	11	2	122
29	80	DePaul University (IL)	11	-5	41
30	60	Villanova University (PA)	11	10	47
31	34	Brigham Young University (Clark) (UT)	10	-5	56
32	Tier 3	University of Idaho	10	-8	127
33	70	University of Nebraska-Lincoln	10	-4	97
34	80	University of Oklahoma	10	-4	129
35	Tier 4	Roger Williams University (Papitto) (RI)	10	8	151
36	97	University of South Carolina	10	-5	61
37	Tier 4	University of Tulsa (OK)	10	-8	93

38	Tier 4	Hamline University (MN)	9.5	-4.5	137.5
39	Tier 4	Whittier Law School (CA)	9.5	-2	105.5
40	Tier 3	Marquette University (WI)	9	6	73
41	60	University of Missouri-Columbia	9	-1	91
42	87	Louisiana State University-Baton Rouge	8.5	15	82.5
43	4	New York University	8	2	6
44	Tier 4	Oklahoma City University	8	2	143
45	43	Tulane University (LA)	8	1	29
46	Tier 4	West Virginia University	7	-18	134
47	53	University of Cincinnati	6	-4.5	43
48	70	University of Houston	6	-1	37
49	65	Rutgers State University-Camden (NJ)	6	4	80
50	Tier 3	Wayne State University (MI)	5.5	-5	123
51	97	Georgia State University	5	15	99
52	39	Ohio State University (Moritz)	5	-3.5	25
53	65	University of San Diego	5	15	71
54	Tier 4	Thomas Jefferson School of Law (CA)	5	1.5	163
55	34	University of California-Davis	4	0.5	40
56	53	Florida State University	4	15	59
57	19	George Washington University (DC)	4	5	42
58	87	Pepperdine University (McConnell) (CA)	3.5	-5	105.5
59	Tier 3	University of Arkansas-Fayetteville	3	-5	121
60	6	University of Chicago	3	0	8
61	26	Emory University (GA)	3	0.5	32
62	77	University of New Mexico	3	-4	132
63	Tier 3	New York Law School	3	3	124
64	27	College of William and Mary (Marshall-Wythe)	3	1.5	19
65	70	Loyola University Chicago	2.5	-5	82.5
66	Tier 4	CUNY-Queens College	2	-4.5	171
67	Tier 3	Catholic University of America (Columbus) (DC)	2	-12.5	66
68	80	St. Louis University	2	5.5	62
69	27	University of Washington	2	-3.5	48
70	Tier 4	University of Baltimore	1	-5.5	170
71	8	University of California-Berkeley	1	-2	11
72	13	Cornell University (NY)	1	1.5	12
73	70	University of Kansas	1	-13	78
74	19	University of Minnesota-Twin Cities	1	-0.5	16
75	27	University of North Carolina-Chapel Hill	1	2.5	20
76	43	Southern Methodist University (TX)	1	-7	53
77	17	Vanderbilt University (TN)	1	-0.5	15
78	8	University of Virginia	0.5	0	9.5
79	4	Columbia University (NY)	0	0	3
80	3	Harvard University (MA)	0	0.5	1
81	37	Indiana University-Bloomington	0	1	24
82	8	University of Michigan-Ann Arbor	0	0	5



83	12	Northwestern University (IL)	0	-1	18
84	22	University of Notre Dame (IN)	0	1.5	23
85	Tier 4	Southern University (LA)	0	-1.5	169
86	2	Stanford University (CA)	0	-1	4
87	Tier 4	Texas Southern University (Marshall)	0	3.5	172
88	1	Yale University (CT)	0	0.5	2
89	53	Cardozo-Yeshiva University (NY)	-1	-1	26
90	11	Duke University (NC)	-1	-1.5	21
91	14	Georgetown University (DC)	-1	1.5	7
92	65	University of Kentucky	-1	-4.5	90
93	Tier 4	Mississippi College	-1	-3	168
94	Tier 3	Quinnipiac University (CT)	-1	5.5	161
95	80	University of Richmond (VA)	-1	-5	76
96	93	University of San Francisco	-1	4	94
97	Tier 3	Southern Illinois University-Carbondale	-1	15.5	126
98	Tier 4	Texas Wesleyan University	-1	2	167
99	Tier 3	Willamette University (Collins) (OR)	-1	3	120
100	Tier 4	Touro College (Fuchsberg) (NY)	-1.5	2	160
101	53	Arizona State University	-2	7	58
102	22	Boston University	-2	0.5	35
103	87	Pennsylvania State University (Dickinson)	-2	-5	114
104	15	University of California-Los Angeles	-2	0	17
105	Tier 4	Western New England College (MA)	-2	-3	164
106	32	University of Wisconsin-Madison	-2	-3.5	38
107	32	Fordham University (NY)	-2.5	1	9.5
108	22	University of Iowa	-3	-0.5	34
109	Tier 4	North Carolina Central University	-3	-3	173
110	93	Seattle University	-3	14	113
111	17	University of Southern California (Gould)	-3	1.5	22
112	Tier 4	University of South Dakota	-3.5	-15.5	158
113	43	University of Arizona (Rogers)	-4	-3	31
114	43	University of Colorado-Boulder	-4	-1.5	30
115	65	University of Miami (FL)	-4	-5	69
116	Tier 3	Northern Illinois University	-4	2	152
117	7	University of Pennsylvania	-4	0.5	13
118	87	Santa Clara University (CA)	-4	5.5	74
119	58	Brooklyn Law School (NY)	-5	1.5	60
120	43	University of California (Hastings)	-5	-4	39
121	50	University of Connecticut	-5	7	33
122	60	University of Pittsburgh	-5	0.5	72
123	80	University at Buffalo-SUNY	-5	4	67
124	34	University of Georgia	-6	0.5	57
125	Tier 3	Gonzaga University (WA)	-6	3	146
126	Tier 4	Northern Kentucky University (Chase)	-6	2	149.5
127	Tier 4	Suffolk University (MA)	-6	-5.5	144

128	16	University of Texas-Austin	-6	-1	14
129	39	Wake Forest University (NC)	-6	0.5	44
130	19	Washington University in St. Louis	-6.5	1.5	45.5
131	Tier 3	Cleveland State University (Cleveland-Marshall)	-7	4.5	159
132	60	University of Tennessee-Knoxville	-7	-1	87
133	Tier 4	Thomas M. Cooley Law School (MI)	-7.5	-1.5	162
134	97	University of the Pacific (McGeorge) (CA)	-8	3	107
135	57	University of Utah (S.J. Quinney)	-8	-5	98
136	Tier 4	University of Wyoming	-8	-18	142
137	Tier 4	Golden Gate University (CA)	-8.5	-4.5	153.5
138	65	Loyola Law School (CA)	-8.5	-4.5	50.5
139	Tier 4	Campbell University (Wiggins) (NC)	-9.5	-3	166
140	51	Baylor University (TX)	-10	-5	104
141	Tier 3	Pace University (NY)	-10	15.5	156
142	Tier 3	Vermont Law School	-10	-5	118
143	Tier 4	University of Detroit Mercy	-11	3.5	139.5
144	Tier 3	Howard University (DC)	-11	-7	131
145	70	Seton Hall University (NJ)	-11	-4	85
146	Tier 4	John Marshall Law School (IL)	-11.5	-4.5	89
147	87	Mercer University (GA)	-11.5	-8	95.5
148	Tier 3	Southwestern University School of Law (CA)	-12	5.5	148
149	Tier 3	Texas Tech University	-12.5	4.5	108
150	80	Rutgers State University-Newark (NJ)	-14	-7	75
151	Tier 3	Stetson University (FL)	-14	3	111
152	93	University of Toledo (OH)	-14	5.5	125
153	Tier 3	University of North Dakota	-14.5	5.5	145
154	51	Case Western Reserve University (OH)	-15	-5	68
155	Tier 4	Ohio Northern University (Pettit)	-15	-3	157
156	43	American University (Washington College of Law)	-16.5	1.5	45.5
157	Tier 4	Nova Southeastern University (Broad) (FL)	-16.5	5.5	137.5
158	Tier 3	Albany Law School-Union University (NY)	-17	3	49
159	22	Washington and Lee University (VA)	-17	6	64
160	70	University of Oregon	-18	-5	63
161	Tier 3	Creighton University (NE)	-19	4.5	92
162	Tier 4	St. Thomas University (FL)	-21	-2	135
163	Tier 4	South Texas College of Law	-22	-4.5	81
164	Tier 4	St. Mary's University (TX)	-29	-14.5	116.5
165	58	Temple University (Beasley) (PA)	-29	1.5	86
166	42	University of Maryland	-31	1.5	79
167	Tier 3	Duquesne University (PA)	-31.5	-15.5	133
168	Tier 4	Valparaiso University (IN)	-33.5	-5.5	116.5
169	Tier 3	Samford University (Cumberland) (AL)	-34.5	-4.5	130
170	Tier 3	University of Memphis (Humphreys)	-39.5	5.5	141
171	70	University of Denver (Sturm)	-40	5.5	112
172	Tier 4	University of Dayton (OH)	-42	5.5	155

**Table 7. Most Under-valued Law Reviews of Top 100 Journals**  
**(Difference of more than 20 between law review citation rank and US News rank)**

Albany Law Review 51+  
 Hofstra Law Review 45+  
 DePaul Law Review 39  
 South Carolina Law Review 36  
 William Mitchell Law Review 35  
 Catholic University Law Review 34  
 Houston Law Review 33  
 Chicago-Kent Law Review 32  
 Cardozo Law Review 27  
 Marquette Law Review 27+  
 Indiana Law Review 26.5  
 Fordham Law Review 22.5

(Schools outside of the top 100 have been assigned a rank of 100 for purposes of computation of difference between law review citation rank and US News rank. As a consequence, the difference for Albany, Hofstra, Loyola, and Marquette are likely even greater than reported; hence the “+” added after their difference.)

**Table 8. Most Over-valued Law Reviews of Top 99 Schools**  
**(Difference of more than 20 between US News rank and law review citation rank)**

Washington and Lee Law Review 42  
 Utah Law Review 41  
 Maryland Law Review 37  
 George Mason Law Review 33  
 Missouri Law Review 31  
 Temple Law Review 28  
 Nebraska Law Review 27  
 Washington University Law Review 26.5  
 University of Tennessee Law Review 27  
 University of Kentucky Law Review 25  
 Lewis and Clark Law Review 23  
 Georgia Law Review 23  
 George Washington Law Review 23  
 Brigham Young Law University Review 22  
 University of Washington Law Review 21

**Table 9. Schools Arranged by Number of Journal Citations to School's Primary Law Review, with Peer Assessment Ratings, Court Citations Rank, and US News Rank Assessment Ratings and Rank.**

USNews rank	School	Peer		Citations		Cases rank
		Raw	Rank	Rank	Raw	
3	Harvard University (MA)	4.9	1.5	1	6832	1
1	Yale University (CT)	4.9	1.5	2	5443	7
4	Columbia University (NY)	4.7	4.5	3	4842	2
2	Stanford University (CA)	4.8	3	4	4545	17
8	University of Michigan-Ann Arbor	4.6	6.5	5	3778	15.5
4	New York University	4.6	6.5	6	3655	5
14	Georgetown University (DC)	4.2	12	7	3412	6
6	University of Chicago	4.7	4.5	8	3389	11.5
32	Fordham University (NY)	3.2	36.5	9.5	3369	8
8	University of Virginia	4.5	8.5	9.5	3369	20.5
8	University of California-Berkeley	4.5	8.5	11	3350	50.5
13	Cornell University (NY)	4.2	12	12	3251	11.5
7	University of Pennsylvania	4.4	10	13	3213	13
16	University of Texas-Austin	4.1	14.5	14	3141	10
17	Vanderbilt University (TN)	3.8	17.5	15	3022	9
19	University of Minnesota-Twin Cities	3.6	19.5	16	2836	22.5
15	University of California-Los Angeles	4	16	17	2804	36.5
12	Northwestern University (IL)	4.1	14.5	18	2509	55
27	College of William and Mary (Marshall-Wythe)	3.3	31.5	19	2361	28.5
27	University of North Carolina-Chapel Hill	3.6	19.5	20	2254	22.5
11	Duke University (NC)	4.2	12	21	2181	19
17	University of Southern California (Gould)	3.8	17.5	22	2077	79.5
22	University of Notre Dame (IN)	3.3	31.5	23	2060	14
37	Indiana University-Bloomington	3.2	36.5	24	1946	28.5
39	Ohio State University (Moritz)	3.2	36.5	25	1914	35
53	Cardozo-Yeshiva University (NY)	2.7	59.5	26	1903	60.5
27	University of Illinois-Urbana-Champaign	3.4	27	27	1744	55
60	Illinois Institute of Technology (Chicago-Kent)	2.7	59.5	28	1674	75
43	Tulane University (LA)	3.2	36.5	29	1665	25
43	University of Colorado-Boulder	3	42.5	30	1644	50.5
43	University of Arizona (Rogers)	3.1	40.5	31	1643	42.5
26	Emory University (GA)	3.4	27	32	1631	46
50	University of Connecticut	2.9	45.5	33	1617	48.5
22	University of Iowa	3.5	22.5	34	1600	26
22	Boston University	3.4	27	35	1591	39
27	Boston College	3.3	31.5	36	1526	72.5
70	University of Houston	2.7	59.5	37	1519	4
32	University of Wisconsin-Madison	3.5	22.5	38	1496	31

43	University of California (Hastings)	3.3	31.5	39	1451	62.5
34	University of California-Davis	3.4	27	40	1434	99.5
80	DePaul University (IL)	2.3	90	41	1432	34
19	George Washington University (DC)	3.5	22.5	42	1406	48.5
53	University of Cincinnati	2.5	71.5	43	1347	79.5
39	Wake Forest University (NC)	3	42.5	44	1333	44
43	American University (Washington Coll of Law)	2.9	45.5	45.5	1319	58
19	Washington University in St. Louis	3.5	22.5	45.5	1319	36.5
60	Villanova University (PA)	2.6	65.5	47	1255	95.5
27	University of Washington	3.2	36.5	48	1244	31
Tier 3	Albany Law School-Union University (NY)	2.1	112	49	1214	92
77	Indiana University-Indianapolis	2.5	71.5	50.5	1203	24
65	Loyola Law School (CA)	2.5	71.5	50.5	1203	99.5
41	University of Florida (Levin)	3.2	36.5	52	1143	86
43	Southern Methodist University (TX)	2.6	65.5	53	1125	46
43	University of Alabama-Tuscaloosa	2.7	59.5	54	1118	31
Tier 3	Hofstra University (NY)	2.4	79.5	55	1078	62.5
34	Brigham Young University (Clark) (UT)	2.8	52	56	1050	79.5
34	University of Georgia	3.1	40.5	57	1046	38
53	Arizona State University	2.9	45.5	58	1043	67.5
53	Florida State University	2.8	52	59	1042	40
58	Brooklyn Law School (NY)	2.6	65.5	60	1033	41
97	University of South Carolina	2.3	90	61	1014	33
80	St. Louis University	2.4	79.5	62	991	113
70	University of Oregon	2.8	52	63	980	95.5
22	Washington and Lee University (VA)	3.4	27	64	934	58
Tier 4	William Mitchell College of Law (MN)	1.9	133	65	921	20.5
Tier 3	Catholic University of America (Columbus) (DC)	2.4	79.5	66	909	106.5
80	University at Buffalo-SUNY	2.5	71.5	67	898	129
51	Case Western Reserve University (OH)	2.8	52	68	895	136.5
65	University of Miami (FL)	2.8	52	69	893	75
37	George Mason University (VA)	2.8	52	70	883	67.5
65	University of San Diego	2.8	52	71	877	117.5
60	University of Pittsburgh	2.8	52	72	856	113
Tier 3	Marquette University (WI)	2.3	90	73	829	52.5
87	Santa Clara University (CA)	2.4	79.5	74	820	67.5
80	Rutgers State University-Newark (NJ)	2.6	65.5	75	814	99.5
80	University of Richmond (VA)	2.2	101	76	796	67.5
80	St. John's University (NY)	2.3	90	77	792	95.5
70	University of Kansas	2.6	65.5	78	765	79.5
42	University of Maryland	2.9	45.5	79	758	86
65	Rutgers State University-Camden (NJ)	2.5	71.5	80	750	79.5
Tier 4	South Texas College of Law	1.7	153	81	743	106.5
87	Louisiana State University-Baton Rouge	2.3	90	82.5	742	15.5
70	Loyola University Chicago	2.3	90	82.5	742	67.5

Tier 4	New England School of Law (MA)	1.7	153	84	735	141
70	Seton Hall University (NJ)	2.4	79.5	85	729	52.5
58	Temple University (Beasley) (PA)	2.6	65.5	86	727	42.5
60	University of Tennessee-Knoxville	2.7	59.5	87	716	58
Tier 3	University of Akron (OH)	1.8	143	88	714	117.5
Tier 4	John Marshall Law School (IL)	1.8	143	89	700	117.5
65	University of Kentucky	2.5	71.5	90	691	55
60	University of Missouri-Columbia	2.7	59.5	91	681	72.5
Tier 3	Creighton University (NE)	2	123	92	675	75
Tier 4	University of Tulsa (OK)	2	123	93	631	106.5
93	University of San Francisco	2.2	101	94	621	136.5
Tier 3	Drake University (IA)	2	123	95.5	615	27
87	Mercer University (GA)	2	123	95.5	615	67.5
70	University of Nebraska-Lincoln	2.4	79.5	97	612	89.5
57	University of Utah (S.J. Quinney)	2.8	52	98	593	79.5
97	Georgia State University	2.3	90	99	578	89.5
77	Lewis and Clark College (Northwestern) (OR)	2.3	90	100	575	150
Tier 3	University of Arkansas-Little Rock (Bowen)	2.1	112	101	574	129
Tier 3	University of Missouri-Kansas City	2.2	101	102	564	123
Tier 3	Syracuse University (NY)	2.4	79.5	103	562	86
51	Baylor University (TX)	2.3	90	104	558	18
87	Pepperdine University (McConnell) (CA)	2.2	101	105.5	554	129
Tier 4	Whittier Law School (CA)	1.4	169.5	105.5	554	146
97	University of the Pacific (McGeorge) (CA)	2.1	112	107	552	129
Tier 3	Texas Tech University	2	123	108	550	46
Tier 4	Michigan State University	2.1	112	109	549	136.5
Tier 4	Capital University (OH)	1.7	153	110	537	162
Tier 3	Stetson University (FL)	2.1	112	111	534	113
70	University of Denver (Sturm)	2.4	79.5	112	532	109.5
93	Seattle University	2.2	101	113	514	60.5
87	Pennsylvania State University (Dickinson)	2.2	101	114	507	92
Tier 3	Washburn University (KS)	1.9	133	115	498	120.5
Tier 4	St. Mary's University (TX)	1.7	153	116.5	484	3
Tier 4	Valparaiso University (IN)	1.9	133	116.5	484	92
Tier 3	Vermont Law School	2.2	101	118	479	150
Tier 3	University of Louisville (Brandeis) (KY)	2.2	101	119	463	117.5
Tier 3	Willamette University (Collins) (OR)	2.1	112	120	456	103
Tier 3	University of Arkansas-Fayetteville	2.2	101	121	444	86
Tier 4	California Western School of Law	1.7	153	122	443	170
Tier 3	Wayne State University (MI)	2.3	90	123	436	109.5
Tier 3	New York Law School	2.1	112	124	435	129
93	University of Toledo (OH)	1.9	133	125	434	136.5
Tier 3	Southern Illinois University-Carbondale	2	123	126	432	144
Tier 3	University of Idaho	2	123	127	409	129
Tier 3	Loyola University New Orleans 12	2.1	112	128	404	136.5

80	University of Oklahoma	2.4	79.5	129	403	95.5
Tier 3	Samford University (Cumberland) (AL)	1.8	143	130	400	103
Tier 3	Howard University (DC)	2.1	112	131	399	167
77	University of New Mexico	2.4	79.5	132	398	113
Tier 3	Duquesne University (PA)	1.8	143	133	387	120.5
Tier 4	West Virginia University	2	123	134	386	67.5
Tier 4	St. Thomas University (FL)	1.4	169.5	135	379	150
Tier 3	University of Maine	2.2	101	136	363	129
Tier 4	Hamline University (MN)	1.8	143	137.5	357	147
Tier 4	Nova Southeastern University (Broad) (FL)	1.8	143	137.5	357	154.5
Tier 4	University of Detroit Mercy	1.5	164	139.5	353	159
93	University of Hawaii (Richardson)	2.3	90	139.5	353	106.5
Tier 3	University of Memphis (Humphreys)	1.8	143	141	346	67.5
Tier 4	University of Wyoming	2	123	142	340	103
Tier 4	Oklahoma City University	1.6	159	143	337	123
Tier 4	Suffolk University (MA)	1.9	133	144	334	99.5
Tier 3	University of North Dakota	1.9	133	145	332	86
Tier 3	Gonzaga University (WA)	2.1	112	146	330	154.5
97	University of Mississippi	2.2	101	147	328	83
Tier 3	Southwestern Univ School of Law (CA)	1.8	143	148	316	150
Tier 4	Northern Kentucky University (Chase)	1.6	159	149.5	314	141
Tier 4	Widener University (DE)	1.8	143	149.5	314	172.5
Tier 4	Roger Williams University (Papitto) (RI)	1.7	153	151	306	154.5
Tier 3	Northern Illinois University	1.7	153	152	300	136.5
Tier 4	Golden Gate University (CA)	1.7	153	153.5	294	157
Tier 4	Regent University (VA)	1.4	169.5	153.5	294	164
Tier 4	University of Dayton (OH)	1.9	133	155	292	167
Tier 3	Pace University (NY)	2.1	112	156	290	144
Tier 4	Ohio Northern University (Pettit)	1.5	164	157	282	154.5
Tier 4	University of South Dakota	1.8	143	158	278	129
Tier 3	Cleveland State University (Clev-Marshall)	2	123	159	272	150
Tier 4	Touro College (Fuchsberg) (NY)	1.7	153	160	271	113
Tier 3	Quinnipiac University (CT)	1.9	133	161	224	144
Tier 4	Thomas M. Cooley Law School (MI)	1.3	172.5	162	207	159
Tier 4	Thomas Jefferson School of Law (CA)	1.4	169.5	163	201	162
Tier 4	Western New England College (MA)	1.5	164	164	197	129
Tier 3	University of Montana	2	123	165	194	123
Tier 4	Campbell University (Wiggins) (NC)	1.5	164	166	160	159
Tier 4	Texas Wesleyan University	1.6	159	167	142	162
Tier 4	Mississippi College	1.5	164	168	104	165
Tier 4	Southern University (LA)	1.3	172.5	169	86	170
Tier 4	University of Baltimore	1.9	133	170	85	141
Tier 4	CUNY-Queens College	1.8	143	171	63	167
Tier 4	Texas Southern University (Marshall)	1.5	164	172	43	170
Tier 4	North Carolina Central University	1.5	164	173	15	172.5