



Thursday, May 2, 2019

An Open Letter from U.S. News & World Report to the Law School Dean Community:

Over the last several weeks, U.S. News has received input from many law schools deans, professors and other members of the legal community regarding our proposed scholarly impact rankings. We appreciate the constructive comments and the time and thought that clearly went into that feedback.

Much of the input we have received to date has focused on questions about U.S. News' scholarly impact rankings methodology, how the scholarly impact rankings will fit into U.S. News' overall law school rankings, and the resources that U.S. News plans to use to create the scholarly impact rankings.

Methodology

I would like to address a few points regarding our methodology and related issues that have been raised to date.

- 1) U.S. News believes the scholarly impact rankings should be a dynamic survey that expands over the years. We believe we have created a plan for the scholarly impact rankings that is a reliable initial basis for such rankings and, just as importantly, a foundation to continually improve and expand such rankings.
- 2) We understand that legal scholarship can have an impact beyond law reviews and law journals. While we of course will focus on citation in law reviews and law journals in legal scholarship, we are also incorporating case law and will keep our eyes open to additional resources.
- 3) Although we will perform the analysis on an individual faculty member level, our rankings will be done at the law school level based on the aggregate results of the school's faculty. This will allow for a more even comparison across schools.
- 4) Like other U.S. News rankings, we fully expect that the methodology for the scholarly impact rankings will evolve over time. At this time, neither the methodology nor the metrics for the proposed new rankings have been finalized.
- 5) We do not have any current plans to incorporate scholarly impact rankings as an element in our Best Law Schools rankings. Rather, U.S. News is considering publishing our initial separate law school scholarly impact ranking during the 2019 calendar year or later.

U.S. News is interested in continuing the dialogue regarding our methodology and our plans. We are receptive to a meeting with a representative group of law school deans for that purpose.



Resources

As many of you know, we have selected HeinOnline to work with U.S. News in creating the scholarly impact rankings. We have received several questions regarding the breadth of HeinOnline's databases and U.S. News's willingness to use other resources. We would like to answer these.

First, HeinOnline has a broad database of legal journals and related resources from which citations will be derived. This database includes journals licensed from commercial publishers as well as student-edited law reviews. Some of the publishers from whom HeinOnline licenses journals include the American Bar Association, Cambridge University Press, Oxford University Press, Wiley, Brill, Taylor & Francis, Kluwer and Sage. HeinOnline includes 72 tax specific journals, 32 medical jurisprudence journals, 41 international business/economics journals, 11 trusts and estates journals, 9 investments journals and 8 accounting journals. HeinOnline adds between 125 and 150 new journal titles per year, so its citation metrics will continue to expand each year.

Second, HeinOnline also includes case law through Fastcase, permitting us to count citations to and from both U.S. state and federal case law.

Third, we have received requests that we consider using data from other citation databases, including Google Scholar, Dimensions and Microsoft Academic. There are disadvantages to those other databases, too. For instance, Google Scholar is an algorithm, not a curated database, so it may pick up many citations that are not actual citations (e.g., a mention in a table of contents) or multiple instances of the same citation. While we do not believe it is practical at this time for U.S. News to incorporate additional databases into our proposed scholarly impact ranking methodology, we will remain open to consideration of additional sources as the methodology evolves.

Conclusion

Again, I want to emphasize we appreciate the input we have received to date with respect to the scholarly impact rankings. While we may not agree with each comment we have received, all of the comments are being considered as we formulate our methodology.

I want to finish by also expressing U.S. News's appreciation of the time, energy and resources that each of you and your colleagues devote to U.S. News's annual surveys, and the input that you consistently provide us. As mentioned above, we would be happy to meet with a representative group of deans to continue this dialogue.

Sincerely,

Bob Morse
Chief Data Strategist