

**IN RE: MARK ALAN SARGENT****NO. BD-2013-061****S.J.C. Order of Term Suspension entered by Justice Spina on June 20, 2013, with an effective date of July 22, 2013.¹****SUMMARY²**

The respondent was admitted to the Massachusetts bar on December 12, 1978. From 1997 to 2009, the respondent was the Dean of Villanova University School of Law.

Each year from 2002 to 2009, the respondent submitted to the American Bar Association Council of the section of Legal Admissions to the Bar and to the Association of American Law Schools LSAT scores and GPAs for Villanova's entering class of students that he certified as true and accurate. He directed that this same information be posted on the Law School's webpage and that it be provided to *U.S. News and World Report* knowing that *U.S. News and World Report* would use these scores to prepare its widely read and highly influential annual ranking of law schools.

In fact, the respondent knew that the scores were inflated because he directed in each of these years that certain low-scoring students be excluded from the computation of median and percentile LSAT scores and GPAs. The effect was to elevate Villanova's rank among law schools evaluated by U. S. News & World Report. The respondent's conduct in directing and overseeing the creation of inflated LSAT scores and GPAs of Villanova's entering class of students; in certifying the accuracy of data he knew in fact to be false; and in disseminating that data to the ABA, to the AALS, to *U.S. News and World Report* and to the public at large, violated Mass. R. Prof. C. 8.4(c) and (h).

The respondent resigned from Villanova in 2009. In January of 2011, Villanova learned of discrepancies between the LSAT scores reported to the ABA in 2008 and 2009 and the actual scores. Villanova hired a law firm to conduct an independent audit and investigation. The investigation uncovered the respondent's conduct in causing inflated LSAT scores and GPAs to be reported to the ABA, the AALS, *U.S. News and World Report* and posted on Villanova's webpage from 2002 through 2009.

¹ The complete Order of the Court is available by contacting the Clerk of the Supreme Judicial Court for Suffolk County.

² Compiled by the Board of Bar Overseers based on the record filed with the Supreme Judicial Court

Villanova reported the results of its investigation to the ABA and to the AALS. The ABA publicly censured Villanova for its conduct and required notice to all deans of ABA-approved law schools as well as employment of a compliance monitor for two years. The AALS found that the reporting of inaccurate admissions data was “antithetical to the professional ethical conduct inherent in the discipline of law” and placed Villanova’s membership on probation for two years. Villanova also reported to the Director of Data Research for *U.S. News and World Report* that the LSAT scores and GPAs submitted for the years 2002 through 2009 were inaccurate.

On May 24, 2013, a petition for discipline and the respondent’s answer to the petition for discipline and stipulation of the parties was filed with the Board of Bar Overseers. The parties jointly recommended that the respondent be suspended from the practice of law for three years.

On June 3, 2013, the Board of Bar Overseers voted to accept the parties’ stipulation and recommendation for discipline. On June 17, 2013, the board filed an information and the record of proceedings with the Supreme Judicial Court for Suffolk County. On June 20, 2013, the Supreme Judicial Court for Suffolk County (Spina, J.) ordered that the respondent be suspended from the practice of law for three years, effective thirty days after the entry date of the court’s order.