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'Already Behind': Diversifying The Legal Profession Starts Before The LSAT

December 22 2020 - 5:00 AM ET

MARISA MANZI NINA TOTENBERG 🧗 💆



LEAP fellows Astrid Saenz, Fatima Salcido, and Victor Briseno participating in a law school application workshop

When Ingrid Lopez Martinez received DACA status during her senior year of high school, it transformed her perception of the law. Instead of seeing it as a system used to limit her immigrant family's potential, she for the first time saw the law "as a transformative tool for justice."

This first-generation college graduate, who moved to the United States from El Salvador at age 4, now aspires to become a lawyer so that she can "pay it forward" and advocate for the undocumented community.

She soon learned, though, that getting into law school can be particularly complicated for many minority applicants — from the expense of test prep courses to the cost of actually applying to schools. There are other knowledge gaps, too. Many first generation college grads applying to law school don't know the ins and outs of the application process. They have no personal connections to people who can help guide them through the process and may not know, for instance, the disadvantage of applying to law school late in the application cycle.



A number of groups are focusing on "the pipeline" to law school as a way to diversify the legal profession overall.



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A 2015 study by the Bureau of Labor Statistics found that the law was the least racially diverse profession in the country, and it remains among the top.

That's not all. As of 2020, the American Bar Association reported that 86% of all lawyers were non-Hispanic whites. To put that in context, while African Americans make up 13.4% of the U.S. population, they make up only 5% of all lawyers. And amazingly, that percentage has not budged in 10 years.

Just applying to law school, prospective students shell out thousands

Applying to law school is expensive. Taking the competitive law school admission test, known as the LSAT, just once costs \$200. The Law School Admissions Council, or LSAC, then charges students an additional \$195 to aggregate application materials and \$45 for each time they apply to a new school. LSAC only waives fees for those who prove they are in "extreme need."

The fees continue to mount. Each school has its own fee for applying. While these are more easily waived, they can range from \$15 to \$100 per school.



Collectively, with the average applicant applying to six schools, fees can add up to \$1,000 or more. And this number does not even include paying for an LSAT prep course, which most applicants routinely rely on to up their scores.



The average LSAT prep course costs between \$600 and \$1,800. Although expensive, they can significantly improve LSAT scores. For example, the Princeton Review's "LSAT 165+" essentially guarantees an improvement of at least seven points. It costs \$1.700.

Bottom line: Though courses like these are a critical piece of success, they are financially out of reach for many minority students. While some organizations offer free LSAT prep courses online, there is often a hitch. Khan Academy, for example, does not have live programming and does not guarantee an increase in the LSAT score.

The average score on the LSAT varies vastly by race. Research by Aaron Taylor, Executive Director of AccessLex, a center for legal education excellence, shows that the average score for white and Asian test takers is 153, while the average for Black test takers is 142 and for Latinos is 146.

On a test where scores range between 120 and 180, an 11point score differential between white and Black test takers is incredibly consequential. Driven in part by that stark disparity, 49% of Black law school applicants were not admitted to a single law school.



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DACA student Lopez Martinez, for instance, tried taking the LSAT while she was in college but did so without guidance and realized that she was essentially flying blind. She saw friends studying for the LSAT, knew she wanted to be a lawyer, and figured she too should take the test.

But without mentorship throughout the process and with only test-prep books, and no LSAT course, Lopez Martinez did not do well enough on the test to even bother applying to any law schools.

The illusion of admissions deadlines

While most law schools tout rolling admissions, the entering class of many law schools is mostly determined before the application deadline even passes. Law schools begin accepting applications between August and October and do not stop accepting applications until between February and June.

Minority applicants likely do not share the same mentorship and networking relationships that more privileged applicants rely on to learn the importance of applying early. They may not know that as space in the entering class shrinks, competition increases, and admission offers diminish as time goes by.

During the 2017-18 admissions cycle, 43% of Black applicants and 36% of Latino applicants applied in March or later — compared to only 29% of white applicants, according to AccessLex director Taylor.

Pipeline programs

While the Internet is full of tips and tricks for applying to law school, a lot of the most useful resources are just out of reach for those who cannot afford them.

AccessLex does provide an extensive directory of diversity pipeline programs, and the programs on its list do tremendous work. But applicants still need to know they exist and then must apply to each online.

One Southern California-based organization, the Legal Education Access Pipeline, or LEAP, began last year with a cohort of 31 LEAP fellows made up of individuals underrepresented in the legal field. LEAP offers a free LSAT prep program, curriculum, and a mentoring program where students are paired with a law school and an attorney mentor.

LEAP founder Cindy Lopez, a retired California Deputy Attorney General explains that she "would not do a diversity pipeline program without LSAT. It's just too important." Her fellows seem to agree.



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her score nearly 10 points, making her eligible for a whole new tier of law schools.

Andaiye McAndrew, a black DACA recipient from Belize, was initially drawn to LEAP because the program offered an expensive and reputable LSAT course cost-free. But, she adds, that is not what kept her in the program. As a first-generation college student who, before LEAP, had not known a single lawyer, the mentorship from lawyers has been critical.

While LEAP founder Lopez sees the LSAT and applying too late in the cycle as two key barriers to law school admission, she also emphasizes that these problems go back to inequities in education. She explains that those with privilege, "grow up talking about college, possibly talking about law school. SAT and college prep is a given at the dinner table ... None of that is existent for these fellows." And, she adds that, "if they've gone to under-resourced high schools, they're already behind the eight ball when they go to college."

The systemic nature of this problem sparked the Playing Field Project, a new pipeline initiative just founded by two recent law school graduates.

Assessing the "playing field"

During this summer's resurgence of Black Lives Matter protests, the implications of privilege on law school admissions weighed heavily on Alexei Segall and Akina Newbraugh, who both graduated from top-tier law schools in May and who also both just started as associates at a big law firm.

The pair decided to create a new nonprofit, The Playing Field Project, to, quite literally, level the law school admissions playing field by providing low-income minority students with LSAT tutoring services, law school application assistance, and other services. They plan to launch with their first set of participants entering the 2021

Unlike LEAP, which caters to a small but growing cohort of individuals in southern California, the Playing Field Project aims to be national in scope.

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"We're not reinventing the wheel ...We're not trying to create an LSAT program. We're not trying to be the ones reviewing essays. We just want to provide those resources to students," Newbraugh says. In short, they are trying to aggregate services and subsidize the admission and prep



course fees as a potential game-changer for low-income and minority applicants.

Where should the pipeline start?

The dean of admissions at Georgetown Law School, Andrew Cornblatt, is trying to help build the pipeline at an earlier access point; high school.

After learning during a panel that law students first start thinking about law school in high school, Cornblatt began Georgetown Law's Early Outreach Initiative. It started with the idea that large segments of the population are not having conversations about law school when "these ideas and these ambitions form," he says.

Now he has identified 1,000 high school seniors at under-resourced high schools across 10 cities and has laid plans to have 300 lawyer-mentors who have volunteered to help guide them through their college years.

Law firms as important financial stakeholders

Both the Playing Field Project and LEAP are looking to law firms, and in particular biglaw firms, for funding. They see firms as key donors who have a stake in a more diverse applicant pool.

It is in their interest because "law firms need more diverse lawyers to make their clients happy," says Playing Field Project co-founder Newbraugh.

Starting next month, for instance, Intel will only hire law firms where the U.S. $\,$ partners are at least 21% women and at least 10% underrepresented minorities. According to the Wall Street Journal, similar steps are being taken at other large companies including Microsoft, Uber and Novartis.

"Every lawyer I talked to about this, every major law firm, has said the same thing to me. 'What can we do? How can we get more diverse associates and partners?'" says Georgetown's Cornblatt . Their clients are "looking around the table," and saying, "What gives?"

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Advice for Aspiring Lawyers About Diversity in Law **School**

Law schools value diversity, and help is there for applicants from underrepresented groups.

By Gabriel Kuris | May 18, 2020, at 9:08 a.m.









Here are four tips for aspiring lawyers from underrepresented backgrounds. 🛭 (GETTY IMAGES)

Despite decades of slow progress, women lawyers, lawyers with disabilities and lawyers from racial, ethnic and sexual minorities are persistently underrepresented in the legal field, as shown by annual surveys by organizations like the American Bar Association and National Association for Law Placement.

How to Excel in Law School Interviews

Experts say law school applicants should show poise but be conversational during their admissions interviews.



Increasingly, however, law schools, law firms and nonprofits are actively addressing the challenges of minority applicants. Some law schools and organizations have created special fellowships and programs to meet the needs of such applicants.

Last year, for example, the Legal Education Access Pipeline, also known as LEAP, began providing fellows in Southern California with free resources such as weekly application workshops, mentorship by law students and lawyers, LSAT test prep classes and access to diverse legal professionals. In August, the program will begin accepting applications for its second cohort from law school applicants who are first-generation, have experienced socioeconomic disadvantage, are students of color or who identify as LGBTQ.

[SEE: U.S. News Law School Diversity Index.]

LEAP founder Cindy Lopez explains that diversity in law school enhances both legal education and the legal system. Studies have shown that more diverse groups of people are better able to generate ideas and solve problems than homogenous groups. Engaging with students and professors with different life experiences equips all law students with a broader range of perspectives and interpersonal skills required to thrive in diverse work settings.

Lopez's own experience as a deputy attorney general in California for three decades showed her the importance of diversity within the legal system. "Legal clients, criminal or corporate, want to look across the room and see that people understand them," Lopez says. "If they look across the room and everyone looks the same, it's not going to be a just society.





ABOUT LAW ADMISSIONS LOWDOWN

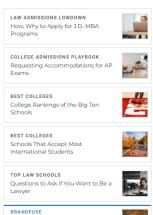
Law Admissions Lowdown provides advice to prospective Law Admissions Lowdown provides davice to prospective students about the law school application process, LSAT prep and potential career paths. Previously authored by contributors from Stratus Admissions Counseling, the blog is currently authored by Gabriel Kuris, founder of Top Law Coach, an admissions consultancy, Kuris is a graduate of Harvard Law School and has helped hundreds of applicants vigate the law school application process since 2003 Got a question? Email

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Thus, applicants from underrepresented backgrounds not only belong in law school, but will ultimately strengthen the legal field. Nevertheless, they may feel uniquely alienated and overwhelmed. No one finds law school easy, but it can be more difficult for those with fewer relevant role models.

Lopez offers four key points of law school advice for aspiring lawyers from underrepresented backgrounds:

- Access resources.
- · Find your people
- Get out of the classroom.
- Don't be discouraged.

Access Resources

Applicants without friends, relatives or peers who have gone through the law school application process may not understand how challenging it can be, from preparing for the LSAT to creating a realistic target list of schools. They may not know they have the option of writing diversity statements, that some law schools may waive application fees or even when to apply.

[READ Law School Admissions Process: A Month-By-Month Guide.]

Lopez advises applicants to start working on their applications over the summer and have drafts of application essays by September. "Law school admission officers and others recommend applying no later than Thanksgiving for the best chance of receiving admission with financial aid," she says.

Find Your People

Lopez advises incoming law students to "find your people." Many law students join extracurricular affinity groups based on religion, ethnicity, politics, geography or other common identities. Some schools also have programs for first-generation law students whose parents did not graduate college and struggle to provide the advice and support other students take for granted.

Nevertheless, Lopez cautions, "Your people are not necessarily the people who look like you." She stresses the value of extracurricular activities based on career interests, like a specific legal field or kind of practice.

Lopez also suggests that law students seek out like-minded professors to serve as mentors, and volunteer to help with campus events to meet more people and show commitment. Career services offices might also provide valuable connections to opportunities or alumni.

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Get Out of the Classroom

"Yes, class is important, but nonacademic experiences are as important – if not more important – for your career," Lopez advises. "You shouldn't leave law school without some sort of practical experience like a clinic, in

[READ: See 2 Successful Law School Diversity Statements.]

Lopez's career at the California attorney general's office began with an internship there as a law student. Although challenging, the experience rewarded her in several ways.

First, it gave her a career aspiration, a firsthand view of legal work she found interesting and fulfilling. Second, it helped her build relationships with role models and mentors. Third, it gave her a chance to shine – and a leg up when she later applied to work in the office.

However, Lopez also emphasizes that minority lawyers shouldn't feel limited to public service work. "I had a great career at the attorney general's office," she says. "But there are plenty of lawyers from all different backgrounds in law firms and private practice."

Whatever kind of work they choose, aspiring lawyers should be mindful of work-life balance, Lopez cautions. Lawyers from disadvantaged backgrounds may feel they have to work harder than anyone else, but they should be conscious about the expectations they set for themselves and the lifestyle they are creating in the long run.

Don't Be Discouraged

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Don't Be Discouraged

Some studies have shown that the 2008 recession disproportionately affected the careers of lawyers of color and women lawyers. Lopez worries that the coronavirus pandemic may do the same for recent law graduates.

Still, she believes this is no reason for aspiring lawyers to doubt themselves. "Don't let this pandemic discourage your dreams," she says.





Tags: law school, graduate schools, education, diversity, students, The Racial Divide

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What Underrepresented Law School Applicants **Should Know**

A study sponsored by the American Bar Foundation has some noteworthy news for minority law school hopefuls.

By Gabriel Kuris | June 8, 2020, at 9:48 a.m.









In 2019, 62% of law students were white, 12.7% were Hispanic, 7.8% were black, 6.3% were Asian and 4% were biracial or multiracial.

American law schools, once stern strongholds of the old guard, now actively seek diversity. Admissions officers are adamant that they're not looking for applicants to check boxes or fill quotas, but rather to present their identity and life experience holistically, from multiple angles. Diversity can include race, ethnicity, sexual and gender identity, military service, socioeconomic status, faith and beliefs, disability status, immigrant upbringing or conditions of hardship.

With so many considerations, who counts as underrepresented?

The answer can be unclear, and it has changed over time. To take the most salient example, only 3.5% of law students in 1960 were women. However, women now make up a slight but growing majority of law students. Women lawyers still face barriers, as shown by the dearth of female partners among leading law firms, but a new generation of women is clearly undaunted.

[SEE: 7 Tips for Applying to Law School as a Minority Applicant.]

Other trends in law school demographics emerged in a new report sponsored by the American Bar Foundation, "Who's Going To Law School?" Written by lawyers Miranda Li and Phillip Yao and California Supreme Court Associate Justice Goodwin Liu, the report summarizes a study that analyzed data collected by the American Bar Association and the Law School Admission Council on the gender, race and nationality of law students pursuing J.D. degrees.

The report has several takeaways for law school applicants and those seeking to understand the changing composition of law schools today.

Overall Law School Enrollment Declining

Law school enrollment neared 150,000 in 2010, then collapsed as the Great Recession shattered the image of law as a stable career path. Even after a minor "Trump Bump," enrollment in 2019 was about 113,000, 25% lower than its peak a decade ago and 10% lower than it was in 2000,

Time will tell if current protests inspire more interest in law, or if the economic fallout from the COVID-19 pandemic makes people reconsider the investment of time and money to pursue a J.D.

Looking at Race

In 2019, about 62% of law students were white, roughly in line with the overall American population. However, ethnic minorities except Asian-Americans were underrepresented. The law student population last year was 12.7% Hispanic, 7.8% black and 6.3% Asian, with the number describing themselves as biracial or multiracial steadily increasing to nearly 4%.

[READ: Advice for Aspiring Lawyers About Diversity in Law School.]

These ratios are shifting rapidly. Hispanic law students nearly doubled in number between 1999 and 2019, while white and Asian-American declined both in absolute numbers and in proportion to other groups. Black law students have also declined in number, but only slightly, while at the same time increasing along with Hispanics as proportions of law school students.

Where Black and Hispanic Women Predominate

While the numbers of white men and white women in law school have converged, the gender



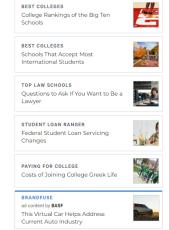
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as Black men study law, and roughly 58% of Hispanic and Asian-American law students are now

However, women and racial minorities are not distributed equally across law schools. Among the top 30 law schools, there is little gender divide and 10% of students are Asian American, 9% are Hispanic and 6% are black. Among the lowest-ranked law schools – including many unaccredited law schools - women constitute 58% of students and the student body is 23% Hispanic, 16% black and 4% Asian American.



Clearly, higher-ranked law schools are not meeting the rising interests of Black and Hispanic women. There may be many causes for this shortfall, from opportunity gaps to inadequate outreach, but its consequences are worrisome. Graduates of low-ranked or unranked law schools may have trouble passing the bar, finding legal work and paying off tuition debt.

[FIND law schools that support first-generation applicants.]

Black and Hispanic women may choose low-ranked schools for personal reasons, but they may be wrongly assuming higher-ranked schools are out of reach. Such applicants might consider writing strong personal statements and diversity statements to give a full picture of their experience and interests, as well as taking advantage of new resources and programs to help overcome special hurdles they face

Will Foreign Enrollment Keep Rising?

On a final note, the study flagged an overlooked rise in foreign enrollment. Outside the United States, legal education usually starts at the undergraduate level, so foreigners interested in American law schools generally practice in their home countries before applying to advanced legal degrees like the L.L.M.

Over the last decade, however, the percentage of foreign students in J.D. programs in the U.S. has nearly doubled to 3.3%, reaching 7% among top-tier law schools. Travel restrictions and international tensions may reverse this trend or change the composition of foreign applicants, 40% of whom currently come from Asia.

To sum up all these trends, law school is no longer a boys club, and minority and foreign applicants are on the rise. Black and Hispanic men are still underrepresented overall and Black and Hispanic women are underrepresented among all but the lowest-ranked law schools. All law school applicants who feel they will contribute to the diversity of their law school community should express this in their applications by writing personal statements and diversity statements that give a full picture of their experience and interests.

Law schools are seeking applicants with unique perspectives. If such applicants feel excluded or discouraged by the process, they should reach out to advisers and admissions officers to discuss resources and programs geared to their needs before ruling out any options.

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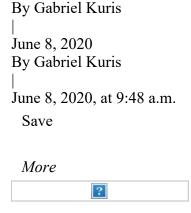




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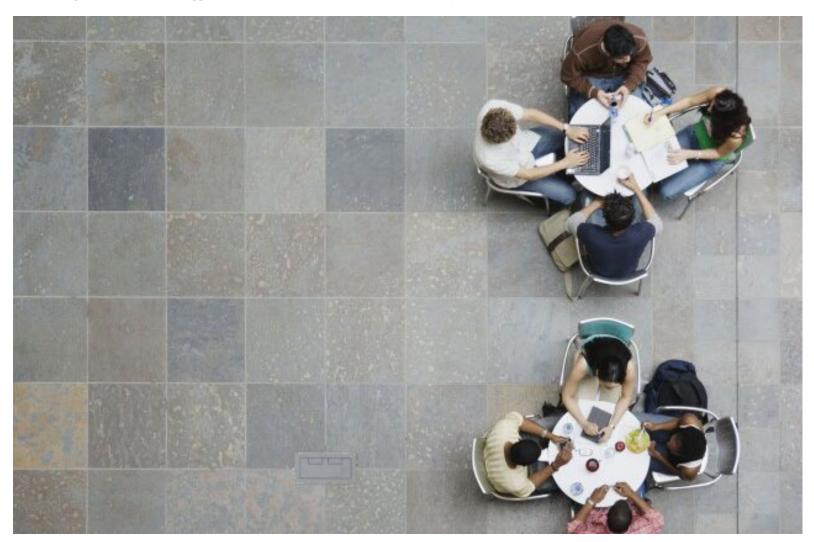
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Where Black and Hispanic Women Predominate

While the numbers of white men and white women in law school have converged, the gender divide among nonwhite students has tilted toward women. Nearly twice as many Black women as Black men study law, and roughly 58% of Hispanic and Asian-American law students are now women.

However, women and racial minorities are not distributed equally across law schools. Among the top 30 law schools, there is little gender divide and 10% of students are Asian American, 9% are Hispanic and 6% are black. Among the lowest-ranked law schools – including many unaccredited law schools – women constitute 58% of students and the student body is 23% Hispanic, 16% black and 4% Asian American.

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