

Most Diverse Law Schools

CUNY tops this year's list, which sees more school earning honors. Yet, law schools could face more challenges to diversity, as university admission practices are under attack.

By Mike Stetz

Kevin Johnson knows something about the importance of diversity. A Mexican-American, he grew up in Los Angeles, and his family wasn't exactly wealthy. They needed welfare assistance and received food stamps. Later, his parents divorced and Johnson had to navigate two different, complicated worlds.

It wasn't the kind of a childhood you think about when you think Ivy League. But Johnson worked hard and got into University of California, Berkeley as an undergrad, where he worked even harder. That set the path for him to be admitted to Harvard Law School, where he started in 1980.

"That's not a very common story at Harvard," said Johnson, who is now dean of University of California Davis School of Law and was the first Latino dean at a University of California law school.

It was even more rare when he was in school. Harvard Law had only a handful of Latino students and placed little emphasis on student needs. There was no such thing as academic support counselors. The envi-

ronment was hardly touchy-feely.

"It was intensely competitive," he said. "I felt different, alienated and lonely."

Johnson hopes today's law students have a very different experience, and he has been at the forefront of an effort to ensure that.

Diversity has increased significantly since the early 1980s, and progress continues. In an effort to track that, The National Jurist has assessed and graded law schools for diversity every other year since 2013.

This year, 60 law schools made our honor roll, which is determined by evaluating the percentage of minority faculty members and the percentage of students in five racial groups and comparing those to national averages.

This year, 20 law schools received an A+, up from 13 in 2017, 10 in 2015 and 8 in 2013. This growth occurred during a time when most law schools struggled with a declining number of applicants.

Johnson's own school, UC Davis, is one of the schools that has improved in diversity. It jumped to No. 2 on this year's list, up from an A- in 2017. The reason for the rise? The percentage of Hispanic students went

from 12 percent to 21 percent.

Like other law schools, UC Davis has worked hard to diversify and bring a more accurate representation of our nation's peoples to the legal profession.

Diversity challenged

But will such progress continue?

Creating diversity is no easy thing and not without critics, who argue that some of the methods are unfair, such as law school admissions being based partly on race. They argue that admissions should be based on merit.

President Trump is one of those critics, and that's a significant factor, given the power his office holds. Last year, his administration rolled back Obama-era guidelines that encouraged universities to consider race as part of admissions.

Two of Trump's Supreme Court nominees have been appointed, causing affirmative action supporters to worry that these conservative jurists will not be supportive of such policies in the future.

Other actions are also giving supporters of diversity pause. Harvard Law and New



KEVIN JOHNSON is a role model for many of the students at UC Davis, where he is dean. He routinely attends minority functions to show support for their causes.

New York School of Law. Nearly half of its students are minorities. More than one-third of its faculty is diverse. Part of CUNY Law’s mission is to help diversify the legal profession, said Ann Cammett, senior associate dean of academic affairs for the Long Island City school, which is known for its commitment to public interest.

“Our legal system should represent all of the people, to give them all a voice,” Cammett said. “If you don’t have this diversity, you create an illegitimate system.”

Why diversity matters

UC Davis’ Johnson also believes that diversity matters, and he has been heartened by the change in American law schools.

“I think it’s wonderful,” he said of the way law schools are evolving.

Having peers you can relate to is a tremendous boost, he said. Having professors who look like you is too.

UC Davis has increased its diversity by doing more outreach, Johnson said. Under California law, the school can’t use race as part of its admission criteria. By referendum in 1988, voters banned such action. But schools can and do look at socioeconomic conditions. Many minorities come from more challenging backgrounds.

The school’s King Hall Outreach Program has been lauded for its success in reaching students from under-represented communities. The number of alumni from the program now totals more than 300.

“We take a holistic approach,” Johnson said, noting the importance of this mission, given that UC Davis is a public school in a very diverse state.

When it comes to choosing faculty, Johnson makes sure minorities are represented in the applicant pool.

“You can’t hire someone who’s diverse if they’re not included,” he said.

However, it’s the faculty that votes on new hires, so they’ve been actively diversifying the school’s teaching ranks, Johnson

York University’s law reviews are being sued for allegedly discriminating against white males in selecting editors and in selecting articles to publish. A Texas-based group is charging that the law reviews use gender and racial preferences.

Harvard University is facing charges that it discriminates against Asian-Americans, a fight led by a conservative activist who wants an end to affirmative action policies. The Trump administration endorsed the suit, and the U.S. Justice Department is investigating Harvard’s practices.

A ruling in that case, which went to trial in the fall, is expected in the coming months. Harvard is facing allegations that it puts limits on the number of Asian students it admits. They have a tendency to score higher on standardized tests, crowding out other racial groups. Harvard denied the practice.

The U.S. Justice Department is investigating Yale University’s admissions practices after receiving a complaint from the Asian American Coalition for Education charging that it too discriminates against Asian-Americans.

So, yes, these are uncertain times for

diversity.

Supporters argue that a diverse student body and faculty enhance the law school experience. They help prepare students for the real world because the real world is hardly like a 1950s sitcom. Even “The Jeffersons” would look out of date, given the absence of Latinos, Asians and Pacific Islanders in the show. Demographic trends show that the nation is becoming much more diverse all the time.

This year’s ranking shows that schools are indeed working to make progress. A number of schools are new to the list, such as Loyola University New Orleans School of Law, which enters the ranking with an A. More than 20 percent of its faculty is diverse, which helped its climb. Nearly 17 percent of its students are African-American, which is a high percentage for a law school that’s not historically black.

The University of Arizona James E. Rogers College of Law in Tucson, another newcomer, got an A-. No other school comes close to its percentage of Native American students enrolled, at nearly 9 percent.

Topping our list is City University of

notes. He's hardly alone in seeking to create a more diverse environment. Indeed, the faculty is now a minority majority.

Diversifying does not mean sacrificing, Johnson said.

"Diversity and excellence go hand in hand," he said. "It's not a zero-sum game."

Jessica Martinez is a product of the school's outreach program, having learned about it as an undergrad at UC Berkeley, where she majored in political science. UC Davis' commitment to diversity was a key selling point, she said.

"It felt really comfortable," Martinez said. "And a big part of that is how diverse and inclusive the environment is."

She's the first in her family to graduate from college. Her parents, who run a housekeeping service, came to the U.S. from Mexico as teens without any resources. Martinez was raised in Yuba City, Calif., which is nearly 30 percent Hispanic. Going to a law school where Hispanics were not represented in significant numbers would have been difficult, she said. "It can be intimidating," Martinez said of being in an academic environment that is not diverse. "You feel less free to speak out, to be yourself."

At UC Davis, many of her professors are either minorities or first-generation lawyers or both. That's important, she said. She feels she can reach out to them and they'll



PHOTO BY PETER BARREAS

be able to relate to her.

Martinez is very active in Latino causes. A third-year student, she's a former co-chair of La Raza Students Association. Her goal is to be an immigration lawyer and return to her community to help those in need.

That's one of the major benefits of diversity, experts say. It helps bring representation to those who lack it. "I definitely want to give back," Martinez said.

The push for diversity is important for a host of reasons. For one, the law profession remains one of the least diverse. Only about 15 percent of lawyers are minorities, one

Jessica Martinez (third from left) walks with fellow students at UC Davis, which has become increasingly diverse.

estimate showed.

When it comes to law firms, the diversity figures are also worrisome. Fewer than 9 percent of partners in major firms are minorities, according to National Association of Law Placement (NALP). Fewer than 2 percent are African-American.

And when it comes to prosecutors, the numbers are downright alarming. A 2014

Why our list has failing law schools

Arizona Summit Law School topped our list of Most Diverse Law Schools two years ago, and this year it was No. 10. Next year, it will close.

The Phoenix school is one of a number of law schools on our list that have failed or are struggling, and the reason is largely related to poor performance on the bar exam.

Whittier Law School in Costa Mesa, Calif., finished 11th on our list this year. It announced its closing in 2017. In July of 2016, just 22 percent of its graduates passed the bar.

Thomas Jefferson School of Law in San Diego, which placed ninth on our list, is currently on probation from the American Bar Association for its shaky financial situation, admissions standards and bar exam performance.

These schools and others lowered their academic standards when applications dropped. For years, they had prided themselves on tak-

ing diverse students from under-privileged backgrounds and making them lawyers. And they were successful until application numbers dropped.

Minorities have a tendency to score lower on the Law School Admissions Test (LSAT), which is designed to predict success in law school. There are a host of theories about why that is.

But while schools like Arizona Summit and Whittier Law School are paying a steep price for dropping incoming LSAT scores, other schools have maintained strong diversity without putting themselves at risk.

Texas Southern University - Thurgood Marshall School of Law continued its mission of diversifying the legal profession during the crisis. The Houston-based school routinely finishes among the top schools for diversity and came in seventh this year. It was also honored by The National Jurist for having an employment rate considerably



Arizona Summit's goal was to diversify the legal field. When applications fell, it struggled to field strong classes.

higher than its projected rate, given its students' LSAT scores. Nearly 75 percent of its grads got jobs, when only 61 percent were projected to do so. Florida International University College of Law, 19th on our diversity list, over-performs on the bar exam. That Miami school routinely tops all Florida law schools when it comes to bar-passage rates.

Most Diverse Law Schools

		Faculty minority	Hispanic %	Native American %	Asian %	Black %	White %	2016 grade
A+ schools								
1	CUNY School of Law	36.0%	22.6%	0.2%	11.0%	15.2%	50.7%	A+
2	UC Davis School of Law	37.7%	21.0%	0.3%	18.9%	3.8%	55.8%	A-
3	University of New Mexico	36.2%	33.7%	5.9%	3.9%	2.9%	53.3%	A
4	University of Hawaii	46.3%	11.0%	0.5%	38.2%	3.7%	41.9%	A-
5	Univ. District of Columbia	45.1%	12.4%	0.0%	9.0%	52.6%	26.1%	A+
6	Barry University	28.8%	28.4%	2.0%	4.3%	15.6%	48.8%	A+
7	Texas Southern University	81.9%	28.0%	0.8%	2.6%	59.3%	9.2%	A+
8	UNT Dallas College of Law	19.8%	22.2%	1.9%	6.4%	18.7%	50.6%	A+
9	Thomas Jefferson SOL	18.0%	28.8%	1.8%	11.8%	13.5%	43.1%	A+
10	Arizona Summit	23.5%	14.8%	1.9%	4.9%	11.7%	66.7%	A+
11	Whittier Law School	22.0%	39.6%	1.5%	9.0%	11.9%	37.3%	A
12	Florida A&M University	71.0%	14.3%	0.0%	3.2%	51.2%	30.8%	A+
13	Western State College	32.4%	32.6%	0.8%	16.8%	7.5%	42.0%	A+
14	University of La Verne	32.0%	40.4%	0.0%	7.3%	12.7%	39.2%	A+
15	Golden Gate University	21.7%	26.7%	0.6%	15.6%	12.5%	42.6%	A
15	U. of San Francisco	30.5%	28.3%	0.2%	16.7%	9.1%	44.6%	A
15	North Carolina Central U.	64.3%	6.5%	2.0%	2.0%	56.4%	33.0%	A+
18	California Western SOL	15.9%	19.3%	1.3%	8.9%	7.5%	61.0%	A+
19	Florida International U.	45.8%	54.5%	0.7%	2.5%	7.1%	35.2%	A+
20	Southwestern Law School	26.3%	27.5%	0.0%	11.1%	7.4%	53.3%	A+
A schools								
	American University	20.7%	19.8%	0.1%	9.0%	9.7%	61.3%	A
	Atlanta's John Marshall	22.2%	9.7%	1.9%	1.4%	49.0%	31.6%	A
	UC Hastings	20.7%	18.5%	1.9%	17.9%	2.8%	58.8%	A
	Cornell Law School	15.5%	15.0%	1.1%	13.9%	8.6%	60.8%	A-
	Florida Coastal SOL	19.5%	13.7%	1.4%	4.2%	21.3%	59.4%	B+
	University of Houston	16.4%	21.7%	1.2%	8.9%	5.5%	62.4%	A
	John Marshall	14.1%	16.2%	0.4%	7.3%	16.4%	59.7%	A-
	Loyola Law School, L.A.	19.9%	22.2%	0.1%	12.8%	4.3%	60.5%	A-
	Loyola Univ. New Orleans	20.1%	13.3%	2.6%	3.3%	16.7%	64.1%	C+
	Northeastern University	19.7%	14.3%	0.2%	10.1%	8.5%	66.5%	A-
	Seattle University	21.3%	11.8%	0.6%	12.6%	4.6%	69.7%	B+
	South Texas COL Houston	17.4%	27.3%	0.5%	7.5%	10.2%	54.5%	A-

study found that 95 percent of elected state and local prosecutors were white.

And now come yet more attacks on affirmative action. While it has withstood challenges before, things could change if another suit against affirmative action reaches the highest court.

“Some schools may pull back, given Trump’s actions,” said Johnson, an expert in immigration law and civil rights. “Everyone has to keep watching.”

As noted, California has banned race-based admission to public universities. It’s one of eight states to do so. In California, the ban initially caused a disruption in schools’ diversity numbers. For instance, the number of African-American students at UCLA fell by nearly half in the first year following the ban.

Those numbers slowly inched back up, in part because of more aggressive and costly outreach. The UC system also enacted a program that guarantees acceptance to the

top 9 percent of the state’s high school graduates. That helps bring in students from schools in diverse communities.

Experts have made compelling arguments both in favor of and against these bans. Some say that the current outreach

efforts have failed to keep pace with changing demographics and that Latino and African-American students have suffered the most.

Others say the state educational system has been forced to improve minority-dominated schools, so their graduates are now better able to compete.

For now, the vast majority of states can use race as part of admission criteria, and they do so. And some have noted their commitment to the process.

CUNY Law is devoted to its mission of diversity regardless of the current environment, Cammett said. The school has a number of progressive programs, including its Pipeline to Justice initiative. In that, the school takes under-represented students who have been denied admission and prepares them to reapply to law school with a much greater chance of getting in and excelling. Indeed, 83 percent of these students graduate.

CUNY’s success in diversification is also due to its commitment to public service, Cammett said. Students are drawn to that mission and want to tackle injustices.

“It’s not that hard to find [diverse students],” she said. “They find us.”

The school’s admissions policy is fair and all-encompassing, she said. CUNY seeks students from all backgrounds and races, and merit is key, she added.

“We seek people who can complete our program successfully,” Cammett said.

And she noted that there’s no reason the pool can’t be wide and diverse.

“It’s unfortunate that diversity is seen as a problem to some,” Cammett said. “For us, it’s just the opposite. We see it as a strength.” ■

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