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NEW YORK
CITY BAR

Empowering Tomorrow's Leaders: Best Practices for Supporting Diverse Students During Law School and Into Employment

Post-Conference Report

Committee on Diversity Pipeline Initiatives, April 2014



BEST PRACTICES FOR BUILDING AND SUPPORTING THE PIPELINE TO THE LEGAL PROFESSION
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Introduction

In March 2013, the New York City Bar (the “City Bar”) Diversity Pipeline Initiatives Committee (“the Committee”), supported by regional pipeline organizations, held its third annual conference on Best Practices for Building and Supporting the Pipeline to the Legal Profession (the “Forum”). This year’s Forum focused on strategies and tactics to address the academic and professional obstacles that minority¹ law school students face.

Forum attendees, comprising NYC regional employers, educators, and diversity professionals, were tasked with identifying effective academic and professional programs and resources needed to support and prepare minority law students for the rigors of legal education and the legal profession. The attendees focused on two key areas of effective pipeline programs: those that promote **academic success in law school**; and programs that effectively **prepare minority law students for entry into the profession**. This report outlines the specific strategies that were discussed and serves as a guide for law schools, law firms, corporations and other legal employers to generate opportunities for continued support of minority law school students.

Background

Minorities have historically comprised a small percentage of potential law students. For example, looking at the largest minority sub-groups seeking entry to law school, Black/African Americans and Hispanic/Latinos (excluding Puerto Ricans)² represent approximately 11-12% and 7.3-7.7%, respectively, of all LSAT takers

¹ As used in this report, the term “minority” generally refers to those persons who self-identify as belonging to a certain ethnic, racial, gender, sexual orientation, or socio-economic class whose representative numbers in law schools and the legal profession are in the minority.

² Prior to 2010, Hispanic/Latinos were categorized separately from Chicano/Mexicans. The numbers for those groups have been added together for the 2009-2010 year for consistency purposes. In all years Puerto Ricans were separated as a distinct sub-group.

each year, even as the total number of LSAT takers has decreased by almost 35% since 2009.³ Moving in a positive direction, each of the Black/African American and Hispanic/Latino sub-groups has increased in percentage of all law school applicants from, respectively, 11% and 8% in 2009-2010 to 14% and 10% in 2012-2013 while total law school applications have steadily decreased by more than 10% each year during the same period.⁴ First year law school enrollment for these two minority groups has also been moving, albeit slowly, in a positive direction over the past several years. Law school enrollment for Black/African Americans and Hispanic/Latinos grew slightly from 7% in 2009-2010 to 9% in 2012-2013.⁵ This increase in minority law student applicants and enrollees is likely due to efforts by law schools to recruit minorities more actively and look holistically at each application, not just at academic indicators such as undergraduate GPA and LSAT scores, which disproportionately negatively affect most minority groups.⁶ Pre-law programs that promote law school and the legal profession to high school and college students and grads are also having a positive effect on minorities' awareness and interest in preparing for and attending law school.

In spite of these positive trends, minority law students are still disproportionately impacted by obstacles to success during and after graduation from law school. These factors include a decrease in financial assistance and scholarship opportunities, few minority role models, and a grim post-graduation job market. In addition, many minority law students often face distinct social, economic and even psychological barriers to success. Inadequate academic preparation, lack of relevant foundational skills and support (both financial and emotional) from the family structure, an absence of mentorship opportunities, guidance or exposure to legal professionals, and lingering external and internal racial stigma are endemic to the minority law student experience. Post-graduation, statistically lower bar passage rates and an insufficient focus on the retention and advancement of minority attorneys by employers further hinder the attainment of success within the legal field.⁷ For example, while African Americans who take post-graduate jobs at law firms do so with large, high-

³ See LSATs Administered—Counts and Percent Increases by Admin and Year, available at <http://www.lsac.org/lsacresources/data/lsats-administered>; LSAT Technical Report Series, LSAT Performance with Regional, Gender, and Racial/Ethnic Breakdowns: 2005–2006 Through 2011–2012 Testing Years, Susan P. Dalessandro, Lisa C. Anthony, Lynda M. Reese, Law School Admission Council, LSAT Technical Report 12-03, October 2012, Fig. 12, p.21, available at <http://www.lsac.org/docs/default-source/research-%28lsac-resources%29/tr-12-03.pdf>.

⁴ See LSAC Volume Summary: Applicants by Ethnic and Gender Group Fall 2010-Fall 2012, <http://www.lsac.org/lsacresources/data/ethnic-gender-applicants>. NB: LSAC changed its race/ethnicity data collection methods after 2009.

⁵ See <http://www.lsac.org/lsacresources/data/ethnic-gender-matriculants/archive>.

⁶ Black/African Americans as a group consistently score a mean LSAT score of around 142, Latino/Hispanics around 146 and Puerto Ricans at just over 138. See LSAT Technical Report 12-03 at pp. 22-24. The national mean LSAT score has stayed roughly 150.7 over the years. *Id.* at 8-9.

⁷ See “Raising the Bar: An Analysis of African American and Hispanic/Latino Diversity in the Legal Profession” (citing need for more loan forgiveness and national law scholarships) linked through Raising the Bar: Exploring the diversity gap within the legal profession, posted by Brad Smith, General Counsel & Executive Vice President, Legal & Corporate Affairs, Microsoft, December 10, 2013,

salary paying firms at a much higher rate than their white counterparts,⁸ less than 5% of law firm equity partners are racial/ethnic minorities.⁹ Clearly, increasing minority enrollment at law schools is only one step in ensuring enduring success of minority law students and lawyers.

Pipeline Programs

Pipeline programs are one approach aimed at increasing the number of minorities in the legal profession. They focus on equipping minority students with the knowledge, skills and support to navigate law school and succeed in their legal careers. The most successful programs provide emotional support in addition to rigorous academic preparation and exposure to career and mentor opportunities. They also seek to engage the student participants continuously throughout their educational endeavors and early legal careers. Successful programs require a commitment to a well-structured and sufficiently intense agenda which develops over a meaningful period of time, and ensures that participants obtain post-graduation law jobs, thus meeting the goal of a more diverse legal profession and legal employment for all minority law graduates.

Generally, pipeline programs fall into one of two categories: pre-law school early exposure programs for high school and college students; and career preparation and development programs for minority law students and early-career attorneys. Early exposure programs, such as the City Bar Thurgood Marshall Summer Law Internship Program,¹⁰ target secondary school students to spark their interest and encourage them to pursue higher education and possible legal careers. Building on this approach, legal employers, law schools and other organizations have developed pipeline programs targeting minority college students and recent college graduates, tapping into their fledgling interest in law and providing the substantive tools needed to navigate the law school admissions process successfully. These programs also play a crucial role in increasing minority student enrollment in law school. The Committee focused on such early-stage programs in their 2012 Best Practices Forum and outlined strategies to create and enhance such programs in their Post-Conference Report.¹¹ In that report, the Committee found that programs that provide college students and graduates with academic support, career exposure, substantive skill development, and mentoring opportunities are essential to increasing the number of minority students who apply and are ultimately admitted to law school.

http://blogs.technet.com/b/microsoft_on_the_issues/archive/2013/12/10/raising-the-bar-exploring-the-diversity-gap-within-the-legal-profession.aspx.

⁸ A Look at How the Distribution of Law Firm Jobs Taken by Law Graduates Has Fluctuated by Gender and Race, NALP Bulletin, December 2013, available at <http://www.nalp.org/1213research>.

⁹ The Demographic of Equity – An Update, NALP Bulletin, February 2013, available at http://www.nalp.org/demographics_of_equity_update.

¹⁰ <http://www.nycbar.org/diversity/student-pipeline-program/programs/thurgood-marshall-summer-law-internship-program>

¹¹ “Expanding the Pipeline to the Legal Profession for Diverse College Students and Recent Graduates” <http://www.nycbar.org/images/stories/pdfs/sleop/bestpractices.pdf> (January 2012).

Undergraduate and Recent Graduate Pipeline Programs

Undergraduate pipeline programs dedicated to diversifying the legal profession focus on providing supplemental assistance to minority, low-income and disadvantaged prospective students. All of the undergraduate and graduate pipeline programs hold seminars and workshops to provide pre-law advising to prospective students. Through use of legal professionals and admissions personnel, students are provided with the resources and information necessary to navigate the admissions process, a crucial step in diversifying the law school ranks.

Participants in such programs as the American Bar Association (“ABA”)-founded Council on Legal Education Opportunity (“CLEO”)¹² and the New York State Unified Court System’s Legal Education Opportunity (“LEO”) program,¹³ are provided a broad range of academic support and counseling prior to the start of the first semester of law school. CLEO continues to support minority students throughout their law school careers by providing continuing academic support and bar preparation assistance. Since 1968, 8,000 law school graduates have participated in either the CLEO pre-law program or the law school academic support program.¹⁴ These kinds of pipeline programs also encourage participating students to further the diversification of the legal field through their own later mentorship and service to under-served and low-income communities.

Programs like Legal Outreach Diversity Pipeline Initiative¹⁵ and Sponsors for Educational Opportunity¹⁶ encourage and empower students through their early intervention high school-to-college and then college-to-law school pipeline programs, offering summer internship and other academic and professional skills building opportunities. The DiscoverLaw.org campaign,¹⁷ created by the Law School Admissions Council (“LSAC”), collaborates with law schools and other organizations to provide resources and information to diverse students thinking about a career in law. Another successful collaboration between law schools and a third party organization,¹⁸ Training and Recruitment Initiative for Admission to Leading Law Schools (“TRIALS”),¹⁹ immerses talented students from modest backgrounds in an intensive summer residence program with LSAT preparation, lectures and other activities designed to foster community building and introduction to the legal profession. A leading NYC law firm, Skadden, Arps, Slate, Meagher & Flom LLP,

¹² <http://www.cleoscholars.com/index.cfm?nodeid=2>.

¹³ <https://www.nycourts.gov/attorneys/leo/index.shtml>. Unfortunately, the NYLEO website notes that due to fiscal constraints, the program was not offered in 2013.

¹⁴ <http://www.cleoscholars.com/index.cfm?fuseaction=Page.viewPage&pageId=482>.

¹⁵ http://legaloutreach.org/?page_id=434.

¹⁶ <http://www.seo-usa.org/>.

¹⁷ <http://www.discoverlaw.org/default.asp>.

¹⁸ NYU School of Law, Harvard Law School, and the Advantage Testing Foundation.

¹⁹ <http://trials.atfoundation.org/index>.

also works to diversify the legal profession by partnering with The City College of New York through its Honors Program in Legal Studies.²⁰

LatinoJustice PRLDEF is another organization focused on diversity in the legal profession. Their *LAWbound* program provides prospective law students support during their undergraduate careers with the law school admissions process.²¹ LatinoJustice offers a discounted LSAT preparation course, which includes assistance with the personal statement and admissions counseling. Post-law school, participants in the LatinoJustice PRLDEF pipeline programs can become public service fellows housed within law firms and corporate law departments.

The Ronald H. Brown Center for Civil Rights and Economic Development has a uniquely intensive preparatory pipeline program dedicated to increasing the number of minorities within legal education and the legal profession. In partnership with St. John's University, York College/CUNY, John Jay College of Criminal Justice/CUNY Department of Latin American and Latina/o Studies, and United Negro College Fund colleges, the Prep Program starts with an intensive nine-week program for college sophomores where they are introduced to the law school curriculum. Subsequently, successful participants are invited to return in their junior summer for an LSAT preparation course with a personal statement writing component. The success of this pipeline model is evident: 80% of participants are accepted to law school; \$6 million in institutional scholarships have been awarded; and on average participants have shown a 10-point increase in LSAT scores.²²

Many law schools have their own pre-law school academic preparation programs, often open to all incoming law students, but typically geared towards those whose LSAT scores or other academic markers indicate they may face challenges in the first year of law school. At Brooklyn Law School, students are given academic credit for completion of the school's Summer Legal Process Course, which is open to a small number of incoming students. Seton Hall University School of Law's LEO program has been offering a free summer academic success program to disadvantaged incoming part-time students since 1977.²³ The Seton Hall program extends additional academic support through the first year of enrollment in order to help incoming students continue to build on the skills acquired during the summer. Seton Hall LEO students with demonstrated financial needs receive grants applied to tuition and fees through a number of available scholarships. Similarly, Touro Law Center's Legal Education Access Program ("L.E.A.P.") offers a four week

²⁰ See <http://ccnyskaddenprogram.org/>.

²¹ http://latinojustice.org/legal_education/lawbound/.

²² <http://www.stjohns.edu/academics/graduate/law/academics/centers/ronbrown/prepprogram>.

²³ <http://law.shu.edu/About/DiverseCommunity/Pipeline/LEO-informaiton.cfm>.

pre-law school knowledge and skills program to incoming minority students,²⁴ utilizing successful upper-level L.E.A.P. alumni as teaching assistants. This program is known not only for its track record of sending more than 1,000 minority law students successfully through law school, but also for fostering a welcoming and supportive community for minority law students.

Law School Pipeline Programs

Pipeline programs that target minority law students and early-career attorneys focus on substantive skill-building and provide participants with the resources essential to succeed in law school and a legal career. While pipeline programs at all levels emphasize the importance of diversity in the legal profession and offer meaningful opportunities for minorities to learn about the practice of law and establish professional networks, pipeline programs that specifically focus on minority law students are critical to increasing the number of minority attorneys.

Below is a best practices framework for successful pipeline programs that covers the periods during and after law school. **Academic Success** programs include Pipeline Programs Supporting Admission and Retention of Minority Law Students; External Resources and Advising Programs for Minority Law Students; and Bar Passage Support. Programs that focus on **Professional Success & Long-Term Job Prospects** include Professional Skill Building. Other areas for programming include **Mentoring and Network Building**.

I. Academic Success

Academic success is the single most important factor in ensuring success of minority law students in law school. Minority law students face higher attrition rates in law school than white law students,²⁵ often due to academic struggles during the first year of law school, which can lead to academic probation and, eventually, dismissal or withdrawal. Additionally, minority students tend to face more financial or other personal issues than their counterparts, making it difficult for them to succeed in school.²⁶ The cumulative effect of high attrition rates consequently impacts the pipeline of diverse legal professionals such that the percentage of

²⁴ See <http://www.tourolaw.edu/StudentResources/?pageid=98>.

²⁵ See, e.g., American Bar Association Report Accompanying Resolutions to Adopt Recommendations from 2005 Pipeline Diversity Conference, available at <http://blogs.law.columbia.edu/salt/files/2009/08/American-Bar-Association.pdf> (citing Gita Z. Wilder, *The Road to Law School and Beyond: Examining Challenges to Racial and Ethnic Diversity in the Legal Profession 1* (2003), available at <http://citeseerx.ist.psu.edu/viewdoc/download?doi=10.1.1.198.8946&rep=rep1&type=pdf>) (noting a 21% attrition rate for African American law students over the period 1998-2000, the highest of any ethnic/race group of students during that time).

²⁶ See “Minority Student Recruitment, Retention and Career Transition Practices: A Review of the Literature,” (noting recruitment and retention issues relating to minority college students). <http://www.asha.org/practice/multicultural/recruit/litreview.htm> [last viewed December 23, 2013].

minority attorneys significantly under-represents the number of minorities in the US population and even the number of minorities sitting for the LSAT.

The following recommendations are ways in which law schools, by focusing on the academic success of minority students, can address high attrition rates.

To better prepare minority law students, effective pipeline programs should emphasize legal writing, clear and concise analytical development, critical reading, research and exam techniques. Traditionally, law school diversity initiatives have focused more on community building than on academic success. Such programs typically include hosting diversity events, creating affinity groups, and establishing mentorship programs that help to bring minority law students together. There is little data to support that such stand-alone initiatives truly enhance professional opportunities for minority students when they do not directly address the importance of academic success in law school. Instead, effective pipeline programs should incorporate academic programs to the community-building law school initiatives, which will support admission and strengthen retention of minority law students.

The following examples illustrate the breadth of best practices supplemental pipeline programs that support minority students academically:

Pipeline Programs Supporting Admission and Retention of Minority Law Students

In order to actively increase the number of minority attorneys in the profession, programs should begin by directly addressing the low number of minority applicants receiving admission to law school. Law schools should consider implementing all-encompassing pipeline programs that support admission into law school and help prepare prospective minority law students for the academic rigor of their first year. For example, the City University of New York (“CUNY”) Pipeline to Justice Program²⁷ targets students from underrepresented communities in the legal profession and provides “second chance” admission to CUNY School of Law. The CUNY Pipeline to Justice Program provides rigorous instruction to denied applicants whose LSAT scores are much lower than the typical LSAT score required for admission to CUNY Law. Once accepted into the program, students undergo intensive preparation for the LSAT with additional training in legal reading and writing. Students who successfully complete the program are admitted to CUNY School of Law. In its initial year in 2006, the program led to a 20% increase in students of color in CUNY’s incoming class. The success of this program is further demonstrated by students’ success on law school exams and on the bar exam.

²⁷ <http://www.law.cuny.edu/academics/support/pipeline.html>.

LSAT preparation and law school application guidance are two of the most important factors to help minorities increase representation in law school and the profession. Studies show that there is a strong correlation between LSAT score and bar pass rate. With minorities historically scoring on average lower than the national average LSAT score, they face a major hurdle to gaining acceptance to law school and then passing a bar exam. At least one academic, however, has argued that lower LSAT scores is not the reason why minorities have low admission rates to law schools; the main reason is that minorities are disproportionately more likely to apply to law schools for which, statistically, they have a very low chance of being admitted.²⁸ Many organizations therefore help increase and support minority law school applicants by providing scholarships for LSAT preparation tutoring and guided assistance through the law school application and admissions process. Stratus Foundation,²⁹ for example, raises money and awards scholarships to minority and underrepresented students for free LSAT preparation and law school admissions counseling. Specialized and individual counseling for minority law school applicants is the best way to guide these prospective students to law schools most appropriate for them and for which they have the highest chance of gaining admission.

An important issue complementary to minority admission into law school is minority student retention. Pipeline programs should target minority students whose application materials indicate that they may struggle academically and provide support to help them adapt to the rigors of law school. Some programs provide academic support prior to law school and others focus on the students once they matriculate. Programs that provide early exposure to the first-year curriculum prepare students for the academic rigors of law school and help reduce the minority attrition rate based on poor first-year grades. One such program, the New York City Bar/PALS³⁰ Law Preview Scholarship Program,³¹ provides minority law students with a six-day, intensive pre-law school prep course. Prior to the start of their first year, scholarship recipients receive 45 hours of comprehensive previews of core first-year classes, and attend workshops on exam-taking strategies, case briefing, time-management, outlining, note-taking and studying, as well as programs on legal careers and extracurricular activities. In addition, scholarship recipients receive law student membership to the City Bar and are enrolled in the PALS Program and matched with an attorney mentor.

²⁸ See Alex M. Johnson, Jr., “Knots in the Pipeline for Prospective Lawyers of Color: The LSAT is Not the Problem and Affirmative Action is Not the Answer,” 24 *Stan.L. & Pol’y Rev.* 379 (June 2013).

²⁹ <http://www.stratusfoundation.org/about/>.

³⁰ Practicing Attorneys for Law Students, Inc. (“PALS”) is a non-profit that serves to enhance the skills and careers of minority law students and early career attorneys through customized mentoring, as well as educational and professional development opportunities. See <http://www.palsprogram.org>.

³¹ <http://www.nycbar.org/diversity/student-pipeline-program/programs/law-preview-scholarship-program>

A successful program that begins in law school, the Benjamin N. Cardozo School of Law May Entry Program,³² for example, enrolls a group of select students early and permits them to complete their first-year curriculum in three part-time semesters. In this environment, students meet in smaller group classes and receive individualized attention from the law school faculty and administration. The program supports their academic success by addressing issues early on and providing students with the skill set to thrive in law school. Following completion of their first year, participants finish their second and third years as full-time students.

Preemptive academic preparation is only one way to address high minority attrition rates. Law schools should also provide extensive academic advising programs for minority law students, particularly in their first year. These programs should focus on encouraging first year students to access study groups, academic programs and additional services, and promote conversations with their peers and faculty about academic support. Oftentimes, former students who are similar to incoming minority students can be the best ambassadors for such programs and play a key role in providing mentoring; thus programs should employ diverse alumni to provide career advising and guidance to minority 1Ls. Many law school Black Law Students Association (“BLSA”) chapters offer special academic workshops for minority law students. Fordham School of Law’s Academic Enrichment Program (“AEP”),³³ for example, is designed to provide accepted minority students with a number of workshops that focus on legal writing, case reading/briefing, and exam preparation in the weeks before the start of the academic year. Students are provided with a mentor, typically a 2L or 3L, and receive academic guidance throughout the first year and oftentimes remain sources of information well into the second year. While minority students, and all students, should be encouraged to take advantage of any available academic support programs to increase their chances of academic success in law school, minority students may feel more comfortable working with certain affinity groups.

External Resources and Advising Programs for Minority Law Students

In addition to law school programs, external resources can provide supplemental support for minority law students. For example, PALS employs customized mentoring, as well as educational and professional development opportunities to enhance skills and career success of minority law students. Each year, PALS provides regional minority law students with dozens of career programs and workshops to assist with legal writing, professional skill development, and academic success. Specifically, PALS hosts various programs to support students with exam preparation and test taking skills, outlining, time management, study strategies, case briefing and legal writing in an environment geared toward the success of minority law students. Law

³² <http://www.cardozo.yu.edu/admissions/jd-admissions/may-entry-january-entry>.

³³ <http://law.fordham.edu/office-of-student-affairs/3667.htm>.

schools should encourage minority student participation in these external programs because they not only reinforce core academic skills but also allow for the development of mentor relationships.

Bar Passage Support

One of the final, albeit major, obstacles that stands between minorities and admission into the profession is admission to the bar. While individual law schools have available to them bar passage information based on ethnicity, race and gender for their own graduates, such information is generally not shared. *No comprehensive national study on bar passage rates based on race or ethnicity has been done since 1998, and only a few states have made any similar data publicly available.*³⁴ In light of available and anecdotal information about lower bar passage rates for certain ethnicity and race groups, law schools have a moral obligation to ensure that those students whom they admit and from whom they accept tuition, achieve at least passing law school and bar exam success. Law schools that have insufficient academic success and bar prep resources should look to collaborate with, or provide financial support to, external groups to help increase bar passage rate among minorities. Some successful minority bar exam preparation programs include the PALS Supplemental Bar program in New York and Minority Legal Education Resources, Inc. ("MLER") in Illinois. The PALS Supplemental Bar Tutorial³⁵ is a twelve-hour program for law students of color who have graduated and will sit for the New York State bar exam. The tutorial assists in teaching its participants to identify common bar exam fact patterns used by the NY Board of Law Examiners to test major rules of law, and how to avoid commonly made errors in reading, analyzing, and writing bar exam answers. Time management and work-life balance issues are also addressed in this program, and it is offered at no cost to participants. This program not only provides law graduates with practical study tools, but also serves as an invaluable source of information on a process many minority students are the first in their families or among their peers to experience. MLER's Bar Process Management Program³⁶ provides fee-based bar exam studying support supplemental to a commercial bar exam preparation course.

II. Professional Success & Long-Term Job Prospects

For minorities to achieve long-term professional success, they must not only achieve academic excellence, but also develop a number of professional skills and networks. Minorities in law firms, particularly large law firms, tend to fall below their peers in terms of their core skill development, especially when practical skills

³⁴ Microsoft "Raising the Bar" report, slide 8 (emphasis added). See 2011 California Bar Exam statistics <http://admissions.calbar.ca.gov/LinkClick.aspx?fileticket=PL6VLVgQEIM%3d&tabid=2269&mid=3159>. In 2004 the Texas legislature mandated the Texas State Board of Bar Examiners to prepare a report on the most recent Texas Bar exam results, breaking the data down into gender, ethnicity and race. The mandate and the findings can be found at http://www.ble.state.tx.us/one/analysis_0704tbe.htm. New York did its own study in 2006 in light of a proposed increase in the passing exam score. See http://www.nybarexam.org/press/nyrep_feb06.pdf.

³⁵ <http://www.palsprogram.org/programs.php?id=1>.

³⁶ <http://www.mler.org/preparation.php>.

are not taught in law school. To be hired at these firms, and succeed within them, law graduates need to develop and refine “practice ready” skills: the ability to quickly understand complicated facts, do efficient and correct legal and factual research, answer the question at hand, help solve client problems, and present work product and one’s professional self in the best and most relevant way. Typically, the basic professional skills that law students must possess to succeed as attorneys include writing (i.e. brief writing or drafting legal documents or memos to clients or partners), litigation and speaking skills, entrepreneurial skills, professionalism, executive presence, and networking abilities. The following suggestions were identified to assist minority law students and junior attorneys in advancing their careers through skill development.

Professional Skill Building

After the standard first year writing course, law schools tend to lack a centralized focus on improving writing skills. While most law schools provide drafting classes and have mandatory writing requirements, there still exists a large gap between the writing skills attained in law school and what is needed to successfully perform as a first year associate. Law schools should help minority law students (indeed all law students) develop core writing skills by implementing writing programs throughout all three years, or by encouraging faculty to work in realistic writing assignments into their teaching. The implementation of a writing program each year ensures that the emphasis placed on first year writing, usually only memo/brief drafting, is expanded to other writing formats, e.g. affidavit, contract, emails, and letter writing.

Another way for students to develop real world legal writing skills is through clinics, internships, or for-credit externships, placing students in real legal offices or departments under direct supervision of faculty or practicing attorneys. Minority law students should be encouraged to participate in clinical or other supervised practice experiences to gain firsthand exposure to the application of writing skills in the workplace, while engaging with and learning from practicing attorneys. Students can use these opportunities to build relationships with attorneys who can provide further support and mentorship in their skill development.

To improve litigation and speaking skills among law students, law schools provide opportunities like moot court, mock trial, and dispute resolution groups. These opportunities focus on developing and sharpening basic oratory skills, negotiation and mediation tactics, and instill confidence in presentation technique. Schools should encourage minority student participation in school competition teams and also encourage and support participation in external initiatives that provide similar programs, whether sponsored by affinity groups or open to the general law student population. By recognizing and supporting participation in these programs, schools would be encouraging their students to engage with their peers across the profession and sharpen their public presentation skills. While there are dozens of national and regional moot court, negotiation and trial competitions, examples of affinity group sponsored events open only to their members

include the National BLSA Frederick Douglas Moot Court Competition, the Thurgood Marshall Mock Trial Competition, and the Nelson Mandela International Negotiations Competition.³⁷ Law schools should support these kinds of external opportunities, by funding registration and travel fees, or provide coaching and mentoring support for students to refine their oral presentation and advocacy skills.

Business skills, an often underdeveloped area in law school, can also be enhanced for minority law students. Fordham Law's Corporate Law Center formed a Committee on Diversity in Business Law to promote business law to members of underrepresented groups.³⁸ Law schools should focus on supporting the development of business skills among their minority law student population by developing their own programs or by encouraging minority law students to engage with local and regional groups and their alumni members, as well as local bar associations. These organizations can help minority students cultivate a network of lawyers outside of their schools, and through programming and committee activity, expose minority law students to alternative career opportunities and the skills they require, including business development and assessment, contract drafting and negotiation techniques, and understanding of regulatory and compliance matters. One such group, the Philadelphia Diversity Law Group ("PDLG"), comprises several area law firms and corporate legal departments and was formed to increase minority lawyer representation among its ranks.³⁹ PDLG sponsors a 1L Summer Program, similar to the one sponsored by the New York City Bar, for minority law students to intern with one of the PDLG members, thus gaining firsthand experience in business related law. The Rochester Legal Diversity Clerkship Program,⁴⁰ co-sponsored by the Monroe County Bar Association Diversity Committee, is another professional program that actively recruits and engages minority law students into the profession to help them succeed and to improve professional diversity in the local legal community.

The New York City Bar and Alliance of Security and Financial Educators ("ASAFE") provides an annual substantive six-part seminar series⁴¹ for diverse law students and recent law graduates. The sessions are presented by leading legal and compliance practitioners (including former and current regulators) and cover topics including Enforcement, Consumer Protection, Corporation Finance and Compliance. Participants have the opportunity to learn about the nuts and bolts and cutting edge issues in securities and finance law, explore careers in securities and finance law, and develop professional networks by meeting legal and compliance practitioners.

³⁷ <http://www.nblsaorg/competitions/>.

³⁸ See <http://www.law.fordham.edu/corporate-law-center/24246.htm>.

³⁹ <http://www.pdlg.net/about-us/history/>.

⁴⁰ See <http://www.mcba.org/Members/CommitteesSections/diversity/Clerkshipprogram/> and Montgomery County, MD Bar Association's Summer Scholars Pipeline Program, <http://www.montbar.org/displaycommon.cfm?an=1&subarticlenbr=114>.

⁴¹ <http://www.nycbar.org/ASAFE>.

In strengthening professional skill building, law schools should provide programs to help refine professionalism and executive presence, teaching students to be client ready, dress professionally, and present themselves effectively. Fordham Law School, like many other law schools, offers a Fundamental Lawyering Skills Program,⁴² where practicing attorneys teach students practical legal skills through coaching, practice, and extensive guidance and feedback. In interactive simulations, students are exposed to interviewing and counseling clients, conducting negotiations, and case theory development/planning. Through the use of demonstrations, lectures, and video-taped role playing with actors, students gradually attain an understanding of professionalism that goes beyond the typical demands of the classroom.

III. Mentoring

Along with a focus on academic preparation and professional skills development, students also benefit from mentors who can provide academic and emotional support and career advice. The first year of law school, in particular, can be emotionally and intellectually draining; therefore cultivating a strong support network is important to maintain a healthy perspective on students' long-term academic and professional goals. Mentors help to develop confidence and trust by providing the law student or associate with a safe environment to express concerns and ask questions. Mentors can also bridge the gap between the knowledge that first generation minority law students have and the information they need to succeed in law school and beyond. Additionally, mentors can provide access to sponsors and facilitate hiring after graduation. For minority law students, formal mentors are primarily matched through law schools, external organizations, chapters of BLSA, or mentor programs within law firms/places of employment. The Committee recommends that law schools encourage students to explore mentorship opportunities within their schools and through external resources.

In order to be effective, pipeline programs focused on mentoring should establish clear standards and goals for the mentor/mentee pairing, create an environment of accountability and consistency, and encourage the growth of organic relationships. Many mentoring programs have faced challenges in achieving these objectives. In order to accomplish those goals, the Committee recommends the following:

Establishing Effective Mentor Programs: Common Mentor Program Problems & Proposed Solutions

Typically, when the purpose of the mentor program is unclear and lacks defined goals, an undue burden is placed on the mentor/mentee pair to determine what the expected outcome will be. This leads to a misguided assumption that the mentor knows what kind of mentoring he/she should provide, and can make

⁴² <http://law.fordham.edu/clinical-legal-education/22830.htm>.

it difficult for a relationship to develop naturally. Therefore, for a mentor program to yield tangible, long-term results, mentor programs and its administrators should provide clear, up-front goals and expectations through mentor/mentee orientation and training.

To ensure continued success of mentor programs, accountability and consistency are paramount. A common factor in unsuccessful mentor relationships arises when the mentee does not try seriously to engage with the mentor. Mentees, when paired with a mentor, should be held accountable for communicating and maintaining contact with his/her mentor. Additionally, a successful mentor program requires regular contact, and thus should create adequate incentives to assist the mentor and mentee with building and maintaining their relationship. The PALS Mentor Program, for example, provides monthly opportunities for mentors and mentees to attend law-related programs together, which alleviates the stress on the pair to find a mutually acceptable time and location to meet. Finally, assessment tools must be established to clearly track the progress and effectiveness of mentor programs, so that successful programs can share best practices and allow for replication.

For new attorneys, the New York City Bar Small Law Firm Center provides Mentoring Circles⁴³ that match senior attorneys with junior practitioners within specific practice areas to help refine law practice development and management skills, build relationships, and expand referral networks.

The most productive mentor relationships develop organically, and the “forced” notion of organized mentor programs can serve as an impediment to its success. To this end, mentor programs must be creative in providing opportunities for both the mentor and mentee to engage and be matched with their ideal peer. For example, an organization could structure its mentor/mentee matching program similar to an online dating site, where mentors and mentees fill out a survey indicating what they are specifically seeking in a mentor relationship.⁴⁴ The organization could then use a core group of people to make matches, and the mentor is presented options to select his/her mentee. By considering a formula of factors for compatibility, and allowing the participants to have a stake in their matching process, this program allows for a sense of autonomy which can help to cultivate more organic pairings.

Mentor relationships within law firms are an important component of success within a law firm. Senior level lawyers are more likely to invest in attorneys who come equipped with core skills already in place; therefore, developing solid core skills in law school is an essential element for attracting mentors and sponsors. Many

⁴³ <http://www.nycbar.org/small-law-firm-center/mentoring-circles>

⁴⁴ In the secondary school-to-college world, iMentor has proven to be a highly successful mentoring program. *See* <http://www.imentor.org/>.

law firms and corporate legal departments have their own mentoring programs. However, mentors are often only paired with already successful associates as mentees, making it difficult for those associates who may need the most help to attract a mentor. Law firms and organizations should be encouraged to teach new minority attorneys how to best position themselves for attracting a mentor and encouraging symbiotic relationships, and consider instituting two-tier mentor programs that match successful associates with new associates until they are in a position to work with a mentor who is more senior in the firm.

Given the impact that effective mentors have on the success of minority law students and young lawyers, the Committee recommends that law firms and organizations continue to work on improving their programs to facilitate their diversity goals and to promote an environment for diverse lawyers to develop and thrive.

Strengthening Alumni Networks

Often mentorship opportunities within law firms are built upon law school connections. Due to the link between law firms and law school alumni networks for professional opportunities, mentor relationships, and recruitment efforts, law school alumni networks should be clearly identifiable and easily accessible via law school Career Services or Alumni Offices. Affinity groups typically maintain an extensive database of active alumni; law schools looking to expand their minority alumni databases should collaborate with affinity groups to ensure a comprehensive pool of prospective mentors.

Conclusion

By building and sustaining successful programs that focus on supporting the academic preparation, development and skill building of minority law students, and by creating strong, effective mentor opportunities, law schools can directly affect the number of minorities completing law school and entering the legal profession. The purpose of the suggested programs is to establish and strengthen a robust pipeline of diverse candidates for the legal profession and to help them thrive within their roles.

While there are currently many pipeline programs, their success relies heavily on intensity, consistent support, and duration. These programs will be most effective when they not only ignite interest and provide short-term exposure to opportunities, but also serve as a consistent resource throughout the entirety of the legal education process and career.

Action Items

The Committee recommends the following Best Practices to expand opportunities for minority law students as they transition into the profession:

Academic Success

- Focus on supporting admission and strengthening retention of minority law students by targeting admitted and first year law students who may struggle academically and help prepare them with the resources and guidance necessary to adapt to the rigors of law school.
- Establish preemptive academic programs that strengthen students' academic core skills, specifically legal writing, developing clear and concise analytical skills, research, and exam techniques.
- Provide previews to the first year curriculum, as well as workshops on exam strategies, case briefing, outlining, note-taking and study techniques.
- Create specific and welcoming advising programs for minority students; encourage them to access study groups and promote conversations with faculty and peers.
- Enlist upperclassmen and alumni to mentor and provide guidance to first year minority students.
- Support an increase in minority student bar passage by implementing programs that expose and prepare students for the challenges and rigor of bar preparation and the exam.
- Track the success of participants in these programs and share information with other law schools and, ideally, the public.

Professional Success

Skill Building Techniques

- Help minority law students refine “practice ready” skills including writing briefs, emails, and memos, litigation and speaking skills, entrepreneurial skills, and professionalism.
- Develop and support programs that expand on first-year writing courses, and expand training to include legal document drafting.
- Engage students in programs that develop and sharpen litigation and speaking skills, including moot court, mock trial, dispute resolution groups, and external programs provided by regional and national affinity groups.
- Cultivate business skills: encourage minority law students to participate in regional affiliate groups and bar associations to develop business development and assessment skills and negotiation techniques.

Building and Supporting Effective Mentor Programs

- Encourage mentor programs to provide clear expectations and training regarding the roles for mentors and mentees, and clearly identify the goals of the program.
- Promote self-assessment: foster pro-activity on the student/junior attorney's part; encourage minority law students and junior attorneys to seek out mentors/sponsors, and not rely entirely on the

firm/company. In turn, experienced attorneys should look to be more effective mentors for minority junior attorneys.

- Replicate successful mentor program models; specifically programs that cultivate autonomy and yield organic mentor/mentee pairs.
- Strengthen pipeline program alumni networks.

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