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Fostering Diversity in the Legal Profession: A Model for Preparing Minority and Other Non-Traditional Students for Law School

By LORRAINE K. BANNAI*
AND MARIE EATON**

IN RECENT YEARS, law schools have struggled to recruit and graduate a more diverse student population, recognizing that greater diversity benefits both the law school community and society at large. Students from non-traditional¹ backgrounds enrich the law school environment by bringing new perspectives into the law school dialogue. They enrich the profession and society by providing lawyers, role models, and leaders to disenfranchised communities and by helping the bench and bar better reflect the populations they serve.

Many law schools have met the challenge of diversifying their student bodies through actively recruiting non-traditional students, expanding their admissions criteria beyond traditional numerical indicators to consider life

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The authors gratefully acknowledge the work and dedication of Professors Rand Jack, Marian Rodriguez, and Connie Faulkner, the other primary faculty of this program, the financial support provided by the Fund for the Improvement of Post-Secondary Education and other private and corporate donors, and the support and assistance given to the program by the Western Washington University faculty, staff, and administration. The authors also wish to acknowledge the assistance received from Law Services and the many law schools who have supported the program.

1. When we speak about "non-traditional" or "minority" students, we are referring to students whose perspectives and experiences have been traditionally underrepresented in law schools, the legal profession, and the law. These include racial and ethnic minorities, students with disabilities, gay and lesbian students, and students from economically disadvantaged backgrounds.

experience and other factors, and providing academic support resources for students who need them. These efforts are laudable.²

Another key strategy for increasing diversity in the legal profession is to expand the pool of minority applicants to law school by identifying and supporting undergraduate minority students who have the potential for success in the law, but who might not view law school as a viable academic pursuit.³ For a variety of reasons, students who may be highly capable of taking on the rigorous study of law do not find themselves on the path for law school admission. Some distrust the law or lack role models and, thus, do not see law as a potential or realistic option. Some may not have fully realized their academic potential because of lack of confidence or inadequate academic opportunities in prior studies.

Undergraduate institutions, on their own and in partnership with law schools, can and should play a more significant role in expanding the pool of law school applicants from non-traditional backgrounds. The Law and Diversity Program at Western Washington University was conceived out of this desire to prepare non-traditional students for the study of law and thereby help bring more diversity to the legal profession.

This article discusses the model used by the Law and Diversity Program to prepare non-traditional students for law school and the program's success in accomplishing its goals. It was our hope to create a model program from which other institutions could borrow. The model is particularly well-suited for undergraduate institutions that can draw on the faculty, library, and other resources of a law school to enrich the program's offerings. While the program focuses primarily on pre-law preparation for minority and other disadvantaged students, we believe that the model, or portions of it, can be applied successfully in preparing any group of students for law study. In addition, the Pre-Law Committee of the ABA Section of Legal Education and Admissions to the Bar issued a statement last year entitled

2. See generally Mary K. Lundwall, *Increasing Diversity in Law Schools and the Legal Profession: A New Approach*, 14 CHICANO-LATINO L. REV. 147 (1994), for an excellent discussion of the need for more minorities in the legal profession and a review and critique of existing programs that support diversity in legal education.

3. There have been few programs designed to identify, and prepare, minority undergraduate students with the potential for success in law school. Gonzaga Law School had a model Summer Fellowship Program for minority students interested in pursuing law as a career. *See id.* at 147, 153. Seton Hall University School of Law and Rutgers University School of Law sponsored a Summer Institute for Pre-Legal Studies, funded by the New Jersey Department of Higher Education. *See* Brenda Saunders Hampden, *Preparing Undergraduate Minority Students for the Law School Experience*, 12 SETON HALL LEGIS. J. 207, 210-11 (1988). These programs were similar to the model used in the Law and Diversity Program in that they sought to reach students at an early stage in their academic careers. These programs, however, were summer programs, while the Law and Diversity Program seeks to support students through a two-year course of study.

"Preparation for Legal Education,"⁴ which sets forth many of the concepts used in our program.

I. The Problem

In 1988, a special task force on Minorities and Justice, created by the Washington State Legislature, held public forums to investigate racial or ethnic bias in the court system. Through the testimony received, the task force concluded that "minorities believe that bias pervades the entire legal system in general and hence, they do not trust the court system to resolve their disputes or administer justice even-handedly."⁵ One manifestation of this bias is the low representation of minorities in the legal system itself.⁶

While Whites are over-represented in the legal profession, all other racial groups have fewer lawyers than their proportion of the population would suggest.⁷ In order for minority groups to be represented proportionally, the number of minority lawyers must increase dramatically. Using 1990 United States Census figures, the number of Asian American lawyers must double, Hispanic attorneys must more than triple, and the number of African-American and Native Americans must quadruple.⁸

Without intervention, this gap is likely to increase. Over the next fifty years, the Bureau of the Census projects that the minority population of the United States will increase from approximately thirty-five percent to almost sixty percent, with the most significant increases seen in the Asian and Hispanic, and to some extent, the African American populations.⁹ Access to the legal system will become increasingly important for these diverse groups as the demographics of the United States shift away from the white majority to a minority majority society. Additionally, other diverse populations, such as lower class Whites, and gays and lesbians, have found their access to the legal system limited and the legal profession unresponsive to their needs.

At the same time minorities are severely underrepresented in the legal system, law school admissions programs designed to increase minority rep-

4. See The Pre-Law Committee of the A.B.A. Section of Legal Education and Admissions to the Bar, *Preparation for Legal Education, A REVIEW OF LEGAL EDUCATION IN THE UNITED STATES FALL 1995, 1996 A.B.A. SEC. LEGAL EDUC. & ADMISSIONS TO THE BAR 78* [hereinafter *Pre-Law Statement*].

5. JUSTICE CHARLES Z. SMITH, WASH. STATE MINORITY AND JUST. TASK FORCE, FINAL REP. xxi (Dec. 1990).

6. See *id.* at 25-27.

7. For an interesting discussion of the status of women and people of color in legal education and the profession, see generally Valerie Fontaine, *Progress Report: Women and People of Color in Legal Education and the Legal Profession*, 6 HASTINGS WOMEN'S L.J. 27 (1995).

8. See *infra* Appendix, Table 1.

9. See JENNIFER CHEESEMAN DAY, U.S. DEP'T OF COMMERCE, POPULATION PROJECTIONS OF THE UNITED STATES, BY AGE, SEX, RACE, AND HISPANIC ORIGIN: 1993 TO 2050 at xxii (1993).

resentation are being challenged in the courts and cut back.¹⁰ Further, over the past few years, applications from minority applicants have decreased nationally, just as law school applications have decreased in general.¹¹ In the face of these challenges to affirmative action programs and declining applications, every effort to recruit larger numbers of minority students and to help make those students as competitive as possible will aid in bringing more diversity to the legal profession.

II. The Law and Diversity Program

The Law and Diversity Program was created at Western Washington University in 1991 in response to the need for more diversity within the legal profession. We sought to serve a unique population of students and to create a challenging, relevant, and supportive learning environment for them.

A. Profile of Students Served

The program is open to any student who has a self-identified interest in the issues of law, diversity, and legal representation of under-represented groups. Students were chosen for participation based on an assessment of the extent to which the program would aid them in entering and successfully completing law school. We purposely sought students who, given their past academic record, might not have the traditional academic indicators for law school admission, but who had demonstrated in some way the potential for success in the study of law. While students who entered the program were interested in law, most had never considered law school as a real possibility for themselves. Minority candidates were actively recruited for this program.

Three cohorts of students have completed the program: fifteen in the first group, which completed the program in 1993; fourteen in the second group, which graduated in 1995; and a cohort of nineteen students, which graduated in the spring of 1997. Ethnically, there has been a rich cultural mix: out of the forty-eight students in all three cohorts, there have been

10. *See generally* Texas v. Hopwood, 78 F.3d 932 (5th Cir.), *cert. denied*, 116 S. Ct. 2581 (1996) (holding law school's admissions program that discriminated in favor of minority applicants violated equal protection).

11. Applications from minority applicants have declined steadily, in absolute numbers, since the 1993-1994 application year. *See* LAW SCH. ADMISSION COUNCIL, NAT'L STAT. REP. 1991-92 THROUGH 1995-96 A-9 (1997); *see generally* LAW SCH. ADMISSION COUNCIL, COMPARISON OF APPLICANTS FROM 1995-1996 (May 30, 1997). Despite this decline in absolute numbers, minority applications, as a whole, have declined at a slower rate than have total applications, resulting in a slight increase in minority applications as a percentage of the whole. *See id.* The drop in absolute numbers of minority applicants remains troubling, however.

fifteen African American students, thirteen Hispanic students, two Native American students, nine Asian/Pacific Islander students, and nine Caucasian students.¹² Twenty-seven of the students have been women and twenty-one of them have been men. Many are re-entry students and parents with children. The average age of students in the program has been about twenty-six years old, ranging in age from nineteen to forty-one. Many of the students have been first-generation college students.¹³

Their life experiences and perspectives are as diverse as their backgrounds: a Chamorro woman from the Northern Mariana Islands whose goal is to return home to be the first native lawyer on her island in that United States Commonwealth; African American students from a notoriously crime-ridden area of Tacoma, Washington; an immigrant from the civil war of Eritrea, who came to the United States at the age of eleven with little formal education; a single mother who struggled back from having dropped out of high school to create a better life for herself and her child; products of Asian, Mexican, and Black gang life; victims and survivors of poverty, abuse, and rape; and activists from ethnic, disabled, and gay communities.

B. The Academic Model

Students in the program participate in a two-year, interdisciplinary course of study during their junior and senior years of college. As part of a group, they take a curriculum of courses chosen to equip them with a body of knowledge and a set of skills that will prepare them for the challenges of law school.

1. The Cohort Learning Model

Students in the program become part of a two-year learning community made up of the other students in the cohort and the primary program faculty.¹⁴ Students take most of their courses together and meet together weekly in the program's Integrative Seminar.

The positive aspects of this model are many. First, the cohort experience forges stronger relationships among students and between faculty and

12. These figures reflect the students' self-identification of ethnic identity. Some students are of mixed ethnicity. Two of the Caucasian and one of the Asian American students self-identify as gay or lesbian, and one of the Caucasian students self-identifies as a member of the disabled community. These figures further reflect the number of students who have completed or are presently enrolled in the program.

13. See *infra* Appendix, Table 2.

14. Two or three professors have made up the core faculty of the program. They teach many of the program's courses and the quarterly Integrative Seminar and provide academic advising and personal support to the program's students.

students. Students derive both academic and personal support from other members of the cohort, as students are able to share their learning with each other and help each other towards a common goal. Further, students are able to develop a closer working relationship with faculty, which provides a learning situation more specifically responsive to the students' individual needs. Faculty members are able to observe a student's work, and then help the student set and work to achieve goals for each term, throughout the two-year period.

Second, because students share a common learning experience and common academic goal, they are in a unique position to work on synthesizing their course work, that is, seeing the connections between the courses and concepts they are studying. Too often, education is so compartmentalized into distinct courses that students fail to appreciate themes that run across disciplines or fail to appreciate the broader historical, political, economic, or sociological context that underlies any given social issue.

2. The Curriculum

The curriculum is interdisciplinary, in order to provide students with a range of perspectives. It is also skills-intensive, in order to equip students with the learning, reading, writing, research, analytical, and verbal skills essential for the study of law. Courses were chosen to introduce students to the American legal system and how it functions, to familiarize them with basic legal terminology and concepts, to help them view the law in a larger social, historical, and political context, and to give them the opportunity to hone their skills.¹⁵

The present curriculum, set forth in Table 3 of the Appendix, has undergone some revision since the program first began, as we work to make it more responsive to our students' needs. Students in the program take most of these courses with other students in the general university population, except for the quarterly Integrative Seminar, which is open only to program students. Interaction with students outside of the program has been particularly important in bringing students into contact with an even wider range of views and experiences and equipping them with the ability to handle those views.

Some aspects of the curriculum merit special note. First, each quarter students participate in the program's Integrative Seminar. That seminar provides a place for students to come together to share and synthesize their learning in other courses and to discuss issues specific to students in the

15. Several individuals at Seattle University (formerly University of Puget Sound) and University of Washington schools of law provided advice on forming the program's curriculum. We wish to acknowledge and thank them for their invaluable assistance.

group. Further, each quarter the seminar focuses on a specific skill or group of skills or, in the final quarter, on issues of professional responsibility and the profession of law.

Second, the curriculum is designed to strengthen specific skills that will help students in the study of law. In particular, the program emphasizes both writing and critical thinking skills throughout the curriculum. In all their course work, students are encouraged to write as much as possible, to learn to draft and edit and write concisely, and to take advantage of the resources of the Writing Center on campus. Critical thinking skills are addressed explicitly early in the program's curriculum and implicitly throughout. In all of their courses, students are asked to view material from different points of view and to ferret out and question fundamental assumptions. One of the most effective classes in the curriculum, from the standpoint of law school preparation, has been the two-quarter Constitutional Law class, in which students use the Gunther case book¹⁶ in a small seminar, question and answer discussion group. Students also participate in one or two mock arguments through the course of the program and are exposed to basic legal research.

Third, at the end of their first year in the program, students participate in a curriculum conference, in which students plan a portion of their last year of study. When the program first began, the program had little flexibility for students who wished to take courses outside of the curriculum. Some students found that they wished to take courses in a particular area of interest (such as environmental studies for students interested in environmental law), work more intensively on specific skills (such as writing), or pursue areas of interest other than law. To meet these needs, students are able to choose, in consultation with the program's faculty, two or three courses for each of two quarters in their final year of study.¹⁷

Fourth, students complete an internship during their last quarter of the program. This internship is designed to provide students with a work environment in which to apply the skills they have gained in the program. It also exposes students to work that they may be interested in doing after gradua-

16. GERALD GUNTHER, *CONSTITUTIONAL LAW* (13th ed. 1997).

17. During the fall quarter 1996 conferences, students selected a variety of electives. Twelve students elected to work more on their legal writing and analysis skills through a group independent study facilitated by the program director. One student focused on advanced legal writing by researching the current "right to die" issue and planned a focused study on "Law and the Internet." Others chose to improve their fluency in their foreign language. Some pursued other academic interests relating to the program, including courses in ethnic and women's studies, international relations, and cultural anthropology. The opportunity to choose and take these electives allowed students to tailor their academic program to their own needs and also provided students some break from the intensity of the cohort experience.

tion. The internships are intended to be intensive in terms of the amount of work required and the type of work done. Law-related internships have included: clerkships with law firms; legal services; the courts; city, state, and federal legal offices; investigative internships with the public defender's office; legal advocacy for victims of domestic violence; and internships with the ACLU, a lawyer referral service, a disability rights group, and a juvenile detention facility.

In sum, the curriculum is designed to give the students exposure to some fundamental substantive concepts, a good foundation in skills that will serve them in law school and in any other endeavors, academic support from the program cohort and faculty members, and the opportunity to apply their learning in an internship experience.

3. The Curriculum and the ABA Statement

In February 1996, the Council of the American Bar Association Section of Legal Education and Admissions to the Bar adopted a statement, drafted by its Pre-Law Committee, entitled "Preparation for Legal Education,"¹⁸ to assist academic advisors and pre-law students in planning pre-law courses of study. While warning that it "does *not* recommend any particular group of undergraduate majors, or courses, that should be taken by those wishing to prepare for legal education," the Council states, "[n]onetheless, there are important skills and values, and significant bodies of knowledge, that can be acquired prior to law school and that will provide a sound foundation for a sophisticated legal education."¹⁹ The Council's Statement continues:

The core skills and values that are essential for competent lawyering include analytic and problem solving skills, critical reading abilities, writing skills, oral communication and listening abilities, general research skills, task organization and management skills, and the values of serving faithfully the interests of others while also promoting justice.²⁰

Although these guidelines had not been published at the time the program was created, the Law and Diversity Program consciously sought to create a curriculum that focused on many of these skills. Students develop their analytic and critical thinking skills through course work in critical thinking and through a set of classes designed to help them question assumptions and look at problems from different points of view. Writing skills are heavily emphasized in the curriculum, in course work specifically addressing writing skills and in general classes involving written work with comprehensive

18. See *Pre-Law Statement*, *supra* note 4.

19. *Id.* at 78.

20. *Id.* at 79.

feedback to students. In addition, students have had access to a writing assistant assigned specifically to the program and to the general services of the campus Writing Center. Verbal communication skills are also emphasized, both in a specific course that covers listening, interpersonal communication, and public speaking skills and in the students' other large lecture and small seminar classes. Students are also given an introduction to basic legal research.

The ABA Statement specifically suggests that "[t]aking difficult courses from demanding instructors is the best generic preparation for legal education."²¹ We have tried to ensure that students are enrolled in courses that are intellectually challenging and require the exercise of all of the above skills. Their instructors are aware of and support the program's goals and they are key players in the program's effectiveness.

The Statement emphasizes that students should be exposed to concepts of professional responsibility as well, that is, "the values of serving faithfully the interests of others while also promoting justice."²² Students in the program are exposed to concepts of public service in a variety of ways, such as by meeting lawyers and judges whose personal and professional lives embody principles of public service, and through students' own activism within their respective communities. In the final quarter of the program, students explore what it means to represent a client responsibly, through a discussion of personal and professional values, ethics, and morals. Further, concepts of justice run throughout the curriculum, as students discuss the sometimes difficult choices judges and lawyers must make on issues of race, crime, free speech, and religious freedom. These discussions not only prepare students for their role as law students and lawyers, but also for other roles in society outside of law.

Finally, the Statement identifies certain "generic types of knowledge that one should possess in order to have a full appreciation of the legal system in general, to understand how disputes might be resolved, to understand and apply various legal principles and standards, and to appreciate the context in which a legal problem or dispute arises."²³ They include: (1) a broad understanding of history, particularly American history, and the various factors (social, political, economic, and cultural) that have influenced the development of the pluralistic society that presently exists in the United States; (2) a fundamental understanding of political thought and theory, and of the contemporary American political system; (3) a basic understanding of ethical theory and theories of justice; (4) a grounding in economics, par-

21. *Id.* at 78.

22. *Id.* at 79.

23. *Id.* at 81.

ticularly elementary micro-economic theory and an understanding of the interaction between economic theory and public policy; (5) some basic mathematical and financial skills, such as an understanding of basic pre-calculus mathematics and an ability to analyze financial data; (6) a basic understanding of human behavior and social interaction; and (7) an understanding of diverse cultures within and beyond the United States, of international institutions and issues, and of the increasing interdependence of the nations and communities within our world.²⁴

The curriculum of the Law and Diversity Program does not address all of these elements, but it does address some of them quite consciously. Students may gain some of this background in the general education requirements that must be completed prior to entering the program. The program's interdisciplinary curriculum is designed so that students can learn to see problems from a myriad of perspectives and to see their underlying historical, social, political, and economic contexts. To that extent, the curriculum has drawn on courses in history, economics, literature, philosophy, and political science. The program also emphasizes an understanding of and appreciation for diversity and the experience of disadvantaged peoples. Some of the courses in the curriculum have specifically addressed issues of race, class, and gender in American society and, indeed, students learn much from the diversity within the cohort itself.

C. Law School Admissions

In addition to preparing students academically for the rigors of law school, a conscious effort is made to assist students in the process of applying to law school. That process can be overwhelming, given the number of law schools, timing, the number of forms and deadlines, and the hurdle of the LSAT. Every effort is made to help students through the process, although the ultimate responsibility lies with the student.

Students are introduced to basic law school admissions resources, including the LSAT/LSDAS Registration and Information Book and law school catalogs, which are stored centrally for reference. Information provided by Law Services, about law fairs, fee waivers and the like, is also announced. Aside from this general information, the program provides some unique opportunities to students as they prepare to apply to law school.

Two of our local law schools have sponsored opportunities for our students to meet with admissions, financial aid personnel, and law students to attend classes. Representatives from law schools outside of our region

24. *See id.*

have visited the program to speak to and recruit students. We have developed good working relationships with several law schools that have been particularly supportive of our efforts.

For each cohort, a commercial LSAT preparation course provider has offered its course to our students at a reduced fee, as part of the provider's commitment to increase diversity in the legal profession. The high cost of these courses, about \$845,²⁵ is a significant impediment for many of our economically disadvantaged students, and thus can be a significant impediment to admission to law school in a competitive applicant pool. We have found marked improvement in LSAT scores as a result of these courses. The mean score for students in the first cohort went up nine points, from 136 to 145, raising the mean percentile ranking nineteen points.²⁶ For the second cohort, the mean score went up seven points, from 139 to 146, also raising the mean percentile ranking nineteen points.²⁷

In addition, because program faculty members were able to observe each student's work over a period of two years, they were able to write detailed letters of recommendation that spoke directly to the attributes and skills necessary for success in law school. These letters addressed both the student's strengths and the student's ability to overcome difficulties. Because many of the students in the program applied to law school with weaker numerical indicators than the general applicant pool, the authors sought to describe the student's actual performance in law school-related work so as to offset the performance suggested by their numerical indicators.

25. Telephone Interview with representatives of Kaplan and Princeton Review LSAT Review Programs, Seattle, Wash. (Apr. 9, 1997).

26. These figures are derived by taking students' diagnostic practice LSAT scores, administered at the beginning of the LSAT preparation course, and comparing them to the students' actual LSAT score. Data are included only for students for whom both diagnostic and final practice LSAT scores are available. For the first cohort, the average practice diagnostic LSAT score was 136, or in the 7th percentile of test-takers during the 1993-1994 test year. The average final LSAT score for that cohort was 145, or in the 25th percentile. See LAW SCHOOL ADMISSION SRVCS., INTERPRETIVE GUIDE FOR LSAT SCORE USERS: JUNE, OCTOBER AND DECEMBER 1993 AND FEBRUARY 1994 LSAT ADMINISTRATIONS 2 (1994) [hereinafter INTERPRETIVE GUIDE]. Of the students who have gone on to law school, the improvement in score was dramatic. One student's score, for example, went from the 7th to the 29th percentile, another from the 29th to the 44th percentile and another from the 30th to the 55th percentile.

27. Using the same approach set forth at *supra* note 25, students from the second cohort had an average initial diagnostic LSAT score of 139.7, within the 14th percentile of test-takers for the 1995-1996 test year. Their average final LSAT score was 146, within the 33rd percentile. See INTERPRETIVE GUIDE, *supra* note 26, at 2. For the students from this cohort who have been admitted to law school, the improvement was again quite significant. For example, students were able to raise their scores from the 3rd to the 20th percentile, the 11th to the 23rd percentile, the 29th to the 74th percentile, and the 47th to the 70th percentile.

D. Academic, Personal, and Financial Support

Many of the students in the program faced a wide range of financial, personal, and academic issues arising out of their unique and sometimes difficult socio-economic circumstances. Some students struggled daily to find enough money on which to live. Some dealt with parenting and other family issues. Many of the students had to develop confidence in their own abilities after years of feeling marginalized and isolated in other academic settings. All of these problems posed constant threats to students' academic performance, and the program needed to find ways to help students learn to cope with adversity while achieving academic success.

Program faculty members were available to students on a continuous basis to help them with their problems. Good working relationships were established with other departments within the university that could help the students, such as the Counseling Center, the Financial Aid Office, and the Registrar's Office. Funds were raised to help students with emergency loans, scholarships, and other financial assistance. Students in the cohort also provided a great deal of personal and academic support to each other during the course of the program, and many of these friendships have endured beyond graduation.

In addition, students had a significant amount of contact with attorneys and judges, most of whom were minorities, shared their stories, provided encouragement, and acted as role models. These individuals spoke to and taught some classes, and also invited students to their courtrooms and offices. In addition, each cohort had the opportunity to attend a session and to meet the justices of the Washington State Supreme Court.

III. Outcomes

It is tempting to measure the program's success solely by looking to the number of students that have been admitted to law school, and by this measure, we believe the program has been successful. However, we recognized early in the program that, for many students, success could be measured in many other ways. Many students found, during the course of the program, that law school was not the right path for them; this was an important realization. For these students, gaining a new sense of self-confidence, acquiring valuable skills that could be applied in a wide range of settings, and becoming better able to assume leadership positions within their own communities, were significant accomplishments. For many students, obtaining a college degree alone was an important achievement. With that perspective, what follows is a discussion of what graduates in the program have gone on to accomplish.

A. Graduates Admitted to Law School

Out of the twenty-nine graduates in the first two cohorts,²⁸ sixteen students applied to law school and twelve of those students were admitted. Of the twelve students admitted to law school, two have graduated, seven are in good academic standing in ABA accredited law schools, two are expected to enter law school this fall, and one withdrew during the first year as a result of personal and academic difficulties.

Students from the program have generally felt that the program provided them with valuable preparation for law school.²⁹ Many graduates who have gone on to law school comment that the program gave them the confidence to succeed, which helped them tremendously in their law studies. Two students explained:

I felt that one of the most positive things was that law school wasn't so much of a mystery to me and wasn't so overwhelming or intimidating. I felt that when I [got] there and was one of the few black students in the whole group that I felt like I could really do it and didn't need to be intimidated by these other students who talked about the wonderful prep schools and private colleges they had gone to.

* * *

[One] thing is the confidence level. I feel that I succeeded in the Law and Diversity Program and I can do it here. When I feel that I can't do it or I'm not smart enough, I know that I've done this before and I can do it now.

Another student felt that the basic knowledge of the legal system and how it functions provided a good head start on course-work:

Just the familiarity with the terminology and how the court system works. When I came into this program, I did not understand the House of Representatives and Congress and how it was divided up and who the people were; just all the basic stuff that some people do know, but I had no clue.

Graduates of the program who are now in law school are in good academic standing. Faculty and staff from the law schools which our students are attending speak positively of these students, both in terms of their academic work and the impact these students have made on their schools. Several professors and administrators expressed the belief that the program does a good job in preparing students for the rigorous study of law. One professor observed:

C. and E. both arrived at law school with much more knowledge and sophistication about legal writing and research than a typical first-year law student, and I think that's one reason that C. did so well on the first assignment because, in a lot of ways, that was review for her. . . . I think

28. Full data is not available for the third cohort as of this writing.

29. No names or institutional affiliations have been included in the quotes, and the initials that have been used are fictitious in order to protect the identity of the students.

the immersion or the focus on law is good for them as well. They come to law school thinking not only about the law itself, but how it relates to political, social and economic issues, which is a perfect fit with [this] law school's philosophy. . . . Certainly, the individual attention they get in the program in terms of the critique of their writing skills is good preparation. It strikes me that they've been held to some pretty high standards in terms of the quality of the written work they have to turn in.

Several professors and administrators also commented that students from the program came to law school with a high degree of confidence and motivation, and were familiar with—and so less intimidated by—the law school environment. Among their comments:

I would say it probably gave them confidence and a sneak preview of what they were getting into. Some students, especially students of color, that have not had any preparation are kind of thrown for a loop when they are entering the legal profession because it's not what they anticipated it to be The preparation . . . is an excellent tool for people to know exactly what they're stepping into and not be so totally blown away in the first couple of weeks of law school because they've been through it already.

* * *

It seems to me that that program really does do a good job of taking people with diverse experiences and helping them integrate those with the traditional expectations of law school, in a way that is constructive both for them and for the law school. [T]hey better understand, I think, the role of the law, in general. I think that they seem to know what law school is going to be about. Both of them are pretty outspoken in class, which just indicated to me that they have some self-confidence about what they're doing. They've been in a similar situation before, they've had to express their opinions and back them up and they're more comfortable.

* * *

I think that the Law and Diversity Program gives the applicants that I've seen come to this school a really good sense that they can do the program I have come to believe that the thing that really marks success in law school is the drive and the will to do it, and if you don't have that you can be the best writer in the world or be able to do the best analysis in the world, but if you don't have the motivation to do it, you're not going to do well [The program's graduates] know what they want. They have a sense of determination.

Finally, graduates of the program have contributed to their law schools by bringing their unique backgrounds and perspectives to the school both in class and through student activities. Several graduates have been active in establishing or coordinating minority student and public interest activities in their law schools; many have actively participated in recruiting and supporting other minority students; and most are vocal in articulating the unique perspectives and needs of their communities in their classes and within the law school institution.

It is significant to note that, although many of the students had numerical indicators for admission (combined LSAT and GPA) which, according to the LSAT predictive validity studies, might lead us to expect some academic difficulty during their first year of study, all the students, except one who withdrew, are in good academic standing and many have significantly out-performed these expectations.³⁰ One student, who had the second to the lowest LSAT score (142) in her entering class, not only submitted the top paper on her first Legal Writing assignment, but was ranked in the top 40% of her class at the end of her first year. A student who had the second lowest index in her entering class (LSAT score 143) earned a grade of B+ in her Legal Writing class. “[S]he did much better overall than we ever would have expected. . . . Her predictors would have predicted that she would be on academic probation—if anyone in the class would have been, it would have been her.” Finally, one program graduate who entered law school with a 3.22 GPA and 153 LSAT (in the 55th percentile), has completed his first year with a GPA of 3.4, or approximately in the top 15–20% of his class.

B. Graduates Not Entering Law School

Of the seventeen graduates in the first two cohorts who have not gone on to law school, two are pursuing other graduate programs, five are in law-related jobs, six have other employment, and four are either seeking jobs or choosing not to work. Many of these students intend to apply or re-apply to law school in the near future. The students who are employed have a wide range of jobs, some growing directly out of their internships in the Law and Diversity Program. One graduate is a legal advocate for a battered women’s shelter, two graduates are working in juvenile detention, one student provides lawyer referral services for a large local bar association, and one student is a paralegal. Other students, while not working in law-related jobs, have utilized their skills and knowledge to work in their own communities.

Conclusion

In a time when the legal profession, and law schools, must become more responsive to the needs of the poor, the disenfranchised, and disempowered, we must do more to make law school a reality for a wider range of students. As efforts to achieve greater diversity face new challenges, new, creative approaches must be employed so that the goal of a truly diverse legal profession will not be lost. The model proposed in this

30. See Linda F. Wightman, *Predictive Validity of the LSAT: A National Summary of the 1990–1992 Correlation Studies*, LAW SCHOOL ADMISSION COUNCIL 19 tbl.4, 21 tbl.6 (Dec. 1993).

article is one such approach that can join law schools and undergraduate institutions in partnership in the effort to better serve a diverse society.

Appendix

	General Population		Attorneys	
	White	199,686,070	80.3%	691,313
African American	29,986,060	12.1%	25,073	3.3%
Hispanic	22,354,059	9.0%	18,612	2.4%
Asian & Pacific Islander	7,273,662	2.9%	10,513	1.4%
Native American	1,959,234	0.8%	1,417	.18%
Other	9,804,847	3.9%	155	.02%
TOTALS³³	271,063,932		747,083	

	1st cohort	2nd cohort	3rd cohort	Total
African	5	4	6	15
Hispanic	4	4	5	13
Asian/Pacific	0	4	5	9
Native	2	0	0	2
White	4	2	3	9
Total	15	14	19	48

31. See BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, 1990 CENSUS OF POPULATION AND HOUSING EQUAL EMPLOYMENT OPPORTUNITY FILE.

32. See BUREAU OF THE CENSUS, U.S. DEP'T OF COMMERCE, 1990 CENSUS.

33. Percentage totals do not necessarily add up to 100% because the Hispanic figures include all persons of Hispanic origin, regardless of race.

Table 3

Law and Diversity Program Curriculum

Western Washington University, Fairhaven College³⁴

<i>Quarter</i>	<i>Course Name</i> ³⁵	<i>Department</i>	<i>Quarter Units</i>
1 ³⁶	American Legal System	Fairhaven ³⁷	5
	American Political System	Poli Sci	5
	LDP Integrative Seminar (emphasis on study and communication skills, community building)	Fairhaven	5
2	Political Economics	Econ	4
	Race, Politics and Public Policy	Poli Sci	4
	Constitutional Law: Government Power	Fairhaven	5
	LDP Integrative Seminar (emphasis on writing)	Fairhaven	5
3	Constitutional Law: Individual Rights	Fairhaven	5
	Logic and Problem Solving	Fairhaven	5
	Oral Communication	Fairhaven	4
	LDP Integrative Seminar (emphasis on legal writing) [LSAT Preparation]	Fairhaven	4
Curriculum conference: During spring quarter, students evaluate their course of study with program instructors and select courses for the following year which will develop specific areas of interest and/or help them work on particular skills which need strengthening.			
4	Politics of Inequality	Poli Sci	3
	LDP Integrative Seminar (emphasis on legal research) [Two or three additional courses selected by students during their curriculum conference]	Fairhaven	5
5	Commercial Relationships	Fairhaven	4
	LDP Integrative Seminar (emphasis on skills integration) [Two or three additional courses selected by students during their curriculum conference]	Fairhaven	5
6	Internship	Fairhaven	12
	LDP Integrative Seminar (emphasis on the legal profession)	Fairhaven	4

34. Prior to entering the program, students should have substantially completed their general education requirements. Reading, writing, analytical, and verbal communication skills are emphasized throughout the curriculum.

35. Other courses which have been part of the curriculum in the past have included Historian as a Detective, Law in/as Literature, Philosophy: Society, Law and Morality, Gender and the Law, and Federal Indian Law. Students may be advised into these courses and others as students participate in selecting courses for their second year of study.

36. To date, the two-year program has run two traditional academic years, with students starting the program during the fall quarter of their junior year and finishing the program the spring quarter of their senior year. With the next cohort, the program's academic year will run from winter through fall, instead, so that students will be applying to law school their final quarter of the program.

37. The Law and Diversity Program is housed at Fairhaven College, a department of Western Washington University dedicated to interdisciplinary study. Many of the courses in the program are taught at Fairhaven by program professors who are on the Fairhaven faculty. Other courses, as noted, are offered through other university departments.