

Why the MOST DIVERSE LAW SCHOOLS have no fear

A recent Supreme Court decision threatens diversity at elite schools. But more diverse schools have no fear; they were founded with students from underrepresented groups in mind.

BY JACK CRITTENDEN

Diversity is once again a hot topic.

In June, the Supreme Court handed down its decision in *Students for Fair Admissions v. Harvard*, which most experts predict will severely limit, if not end, affirmative action in higher education.

Within hours, every American Bar Association-accredited law school received a threat.

“There are those within and outside your institutions who will tell you that you can develop an admissions scheme through pretext or proxy to achieve the same discriminatory outcome,” Stephen Miller, president of America First Legal,

warned in a letter. “Anyone telling you such a thing is coaching you to engage in illegal conduct in brazen violation of a Supreme Court ruling, lawbreaking in which you would be fully complicit and thus fully liable.”

Miller ended his letter by telling law school deans that America First Legal, a nonprofit advocacy group, was ready to sue their schools.

It was a stark warning that many law schools need to change how they achieve a diverse student body. Most experts predict that without significant changes, elite law schools such as Harvard and Yale will see sharp declines in the number of

minority students.

But leaders of the nation’s law schools with diverse student bodies say no change is necessary at their schools. They have built models that attract, admit and support people of color, without focusing on race.

“Our mission and core values did not need to change because of the Supreme Court decision,” said Sudha Setty, dean of City University of New York School of Law.

The Long Island City school is the most diverse law school in the nation based on preLaw magazine’s analysis.

“We have a long-standing holistic admissions process that looks at the background and aspiration of applicants... and looks at the entirety of their experience,” Setty said.

Like many diverse law schools, CUNY Law was founded to serve students from unrepresented backgrounds who want to serve underrepresented communities.

“At CUNY, the admissions team understands the nuance that goes into people’s life stories, especially those from underrepresented backgrounds,” said Gayla Jacobson, director of admissions, enrollment and dual degree programs.

It is a mission that is baked into the

“We have a long-standing holistic admissions process that looks at the background and aspiration of applicants... and looks at the entirety of their experience.”

—SUDHA SETTY, DEAN, CUNY SCHOOL OF LAW





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school's DNA and has helped it earn top honors in our bi-annual ranking of the most diverse law schools.

In its analysis, preLaw magazine grades law schools based on how well they support and provide a strong environment for Asians, Hispanics, Blacks and Native

METHODOLOGY: To determine each grade, we looked at the percentage of students of each race at the school (which counted for 50% of the score), percentage of minority law professors (25% of the score), and diversity services offered by the school (25% of the score). The diversity services portion included whether the school has an office or administrator who assists minorities (36%); bar exam preparation support (18%); a mentoring program for minorities and/or first-generation law students (11%); student groups that promote the needs of each ethnicity (11%); endowed scholarships for minorities (11%); a summer law school preparation program for admitted students (7%); and employment workshops designed to help minority students (7%).

Best Schools for Black Students

	School	Faculty grade	Student grade	Services grade	Final GPA
1	Howard University	A+	A+	A+	4.33
2	North Carolina Central Univ.	A+	A+	A+	4.33
3	Southern Univ. Law Center	A+	A+	A+	4.33
4	Texas Southern University	A+	A+	A+	4.33
5	Florida A&M University	A+	A+	A	4.25
6	CUNY School of Law	A+	A	A+	4.17
7	University District of Columbia	A+	A+	B+	4.08
8	Loyola University New Orleans	A	A	A	4.00
9	Penn State - Dickinson Law	A	A	A-	3.92
10	University of Memphis	A-	A	A	3.92
11	University of Maryland	A	A	B+	3.83
12	Barry Law School	A	A	B	3.75
13	Drexel University Kline	A-	A-	A	3.75
14	Northern Illinois University	A-	A-	A	3.75
15	Rutgers Law	A-	A-	A	3.75
16	Georgetown University	B+	A-	A-	3.58
17	Georgia State University	B+	A	B	3.58
18	University of Alabama	B+	A-	A-	3.58
19	University of Illinois Chicago	A	B+	A-	3.58
20	Elon University	A-	A	C+	3.50
21	Temple University	A-	A-	B	3.50
22	USC Gould School of Law	A-	B+	A-	3.50
23	WMU-Coolley	A-	A	C	3.42
24	Emory University	B+	A-	B	3.41
25	UC - Irvine	A	B-	A+	3.41
26	UNT Dallas College of Law	A-	A-	B-	3.41



Where Students for Fair Admission will hurt diversity

While these schools were all founded with diversity in mind, that was not the case with many of the nation's older, elite law schools. Yet, for the past 35 years, most of them have used race as a factor to help create more diverse student bodies.

Without the ability to use race as a factor, most law schools now plan to place a greater emphasis on choosing students from lower socioeconomic backgrounds. But that poses problems for the elite schools.

"We will see the most significant [enrollment] decline among the flagship public law schools and the elite schools," said Aaron Taylor, executive director of AccessLex Center for Legal Education Excellence. "Other schools may be able to push through with slight declines, if not stay flat."

Most elite schools place a heavy emphasis on LSAT scores. Students from lower socioeconomic backgrounds, many of whom are minorities, do not perform as well on the standardized test. Without the ability to weigh race in the decision-making process, elite schools will be left with fewer minority candidates who meet their LSAT requirements.

"If they still emphasize the LSAT as the primary admission factor, their pool of underrepresented students will be dramatically lower," Taylor said.

How much lower? In 1996, Californians passed a referendum banning the use of race as a factor in admissions, and minority enrollment at the state's law schools plummeted. At University of California, Berkeley, School of Law, the number of Black first-year law students dropped from 20 to one. That was in a class of 270 students.

A 2011 study found that only 5% of students at elite law schools came from the lower half of the socioeconomic spectrum. In other words, the elite law schools were admitting the minority students who performed the best on the LSAT, and the vast majority of them were from upper socioeconomic classes.

Students for Fair Admissions v. Harvard could change that.

"While the court's decision is no panacea, it offers the opportunity for law schools to again become more meritocrat-

Americans. To determine the ranking, we look at each school's percentage of minority students (which counts for 50% of the school's total score); the percentage of minority professors (25% of the total score); and diversity services offered by the school (25% of the total score).

CUNY Law earned an A+ for Hispanic, Black and Asian students. The top school in our ranking, it was the only school to earn an A+ for more than two races.

Other leaders included Texas Southern University - Thurgood Marshall School of Law in Houston and North Carolina Central University School of Law in Durham, both Historically Black Colleges; as well as University of California, Irvine School of Law and University of North Texas at Dallas College of Law, both of which were recently founded with the goal of serving a diverse student body.



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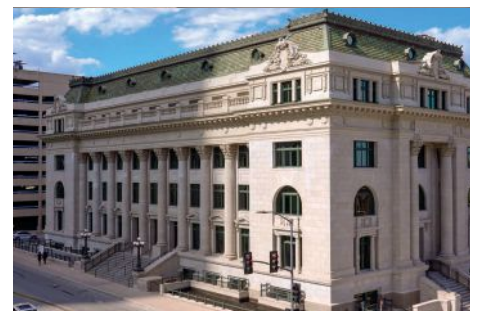


Best Schools for Asian Students

	School	Faculty grade	Student grade	Services grade	Final GPA
1	UC - Irvine	A	A+	A+	4.25
2	CUNY School of Law	A+	A	A-	4.00
3	McGeorge School of Law	A-	A	A+	4.00
4	USC Gould School of Law	A-	A+	A-	4.00
5	UC Davis School of Law	A	A+	B+	4.00
6	Santa Clara Law	A	A+	B-	3.83
7	UCLA Law	A	A	B+	3.83
8	University of San Francisco	A	A+	B-	3.83
9	University of Hawai'i	A+	A+	C	3.75
10	Penn State - Dickinson Law	A	B+	A	3.67
11	UC Law SF	A-	A+	C+	3.66
12	California Western School of Law	B+	B+	A+	3.58
13	Drexel University Kline	A-	B+	A	3.58
14	Georgetown University	B+	A-	A-	3.58
15	New York Law School	B+	B+	A+	3.58
16	Northeastern University	A-	A-	B+	3.58
17	Rutgers Law	A-	B+	A	3.58
18	Southwestern Law School	A	A-	B	3.58
19	University of Washington	A-	A+	C	3.58
20	Boston College	B-	A-	A	3.50
21	Cornell Law School	B	A	B	3.50
22	Golden Gate University	B-	A+	B-	3.50
23	Harvard Law School	B+	A+	C	3.50
24	Temple University	A-	A-	B	3.50
25	UC Berkeley	B+	A+	C	3.50
26	University of Houston	B	A	B	3.50
27	University of Illinois Chicago	A	B	A	3.50
28	Western State College of Law	A	A	C	3.50
29	Yale Law School	B	A	B	3.50
30	Chapman Fowler School of Law	B-	A	B	3.42
31	University of Chicago	B+	A	C+	3.42
32	University of Pennsylvania	B+	A	C+	3.42
33	LMU Loyola Law School	B+	A-	B	3.41
34	Loyola University Chicago	B	A-	B+	3.41
35	Texas Southern University	A+	C+	A	3.41

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ic and ideologically open institutions,” wrote John McGinnis, a professor at Northwestern University Pritzker School of Law in Chicago. “Happily, law school administrators will now encounter more obstacles to the use of race and ethnicity in admission and hiring, and legal education will be the better for it.”

Erwin Chemerinsky, dean of Berkeley Law, does not share McGinnis’ happiness about the decision, but he supports diversity in all its shapes and forms.

“We need to reach out to people like me, who did not know any lawyers when they grew up, and let them know what law is as a profession,” Chemerinsky said. “We can create programs that are not race based but help us achieve diversity, such as admitting first-generation law students.”

Why institutional support is essential

When Chemerinsky became dean of Berkeley Law in 2017, there were only 12 Black students in the first-year class.

“Was it not getting applications, not admitting Blacks, or not getting them to come when admitted? For us it was the latter,” he said. “We developed a very aggressive recruitment plan that was not race based. It included using alumni, faculty and students to outreach to admittees.”

Other schools, such as CUNY Law, look beyond LSAT scores and GPAs for students who have overcome challenges in their personal lives, including criminal records.

All the schools at the top of preLaw’s ranking share a commitment to diversity and a desire to take creative approaches to admitting and supporting students of color and students from lower socioeconomic backgrounds.

“Schools got a little lazy with affirmative action,” CUNY’s Jacobsen said. “Now we need to be more creative.”

For most schools that rank high in diversity, it starts with institutional support. In recent years, that has meant an office dedicated to diversity, equity and inclusion, also known as DEI.

Most law schools have only recently added administrators whose focus is specifically DEI. A survey by American University Washington College of Law in

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- preLaw BEST LAW SCHOOL FOR ASIAN STUDENTS 2023-2024
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2021 found that 73% of DEI administrators had been in their positions less than three years and that 69% of them were the first person hired for that position.

Cooley Law School in Lansing, Michigan, is one school that is amping up its DEI efforts.

“We are digging in and doubling down on our mission, which is one of access,” said Dean James McGrath. “We have broadened our definition of access and diversity to include everyone, so the legal profession can look more like society.”

Cooley Law School was founded in 1972 with the mission of serving anyone who wanted a legal education, including people from lower socioeconomic classes.

“We are still committed to diversity in many ways that other schools don’t think about,” McGrath said. “That brings in racial diversity as well.”

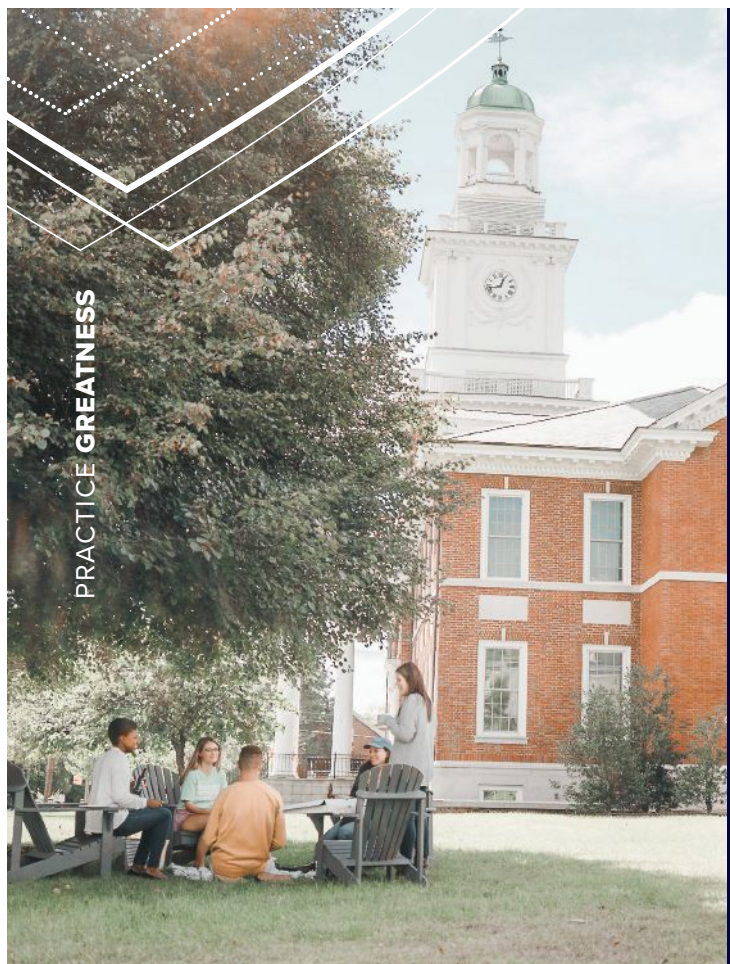
The school’s DEI committee, made up of faculty and staff, brings in speakers, hosts events and sends students to events



PHOTO COURTESY OF UNIVERSITY OF ARIZONA LAW

Best Schools for Native American Students

	School	Faculty grade	Student grade	Services grade	Final GPA
1	University of Arizona	A	A+	B-	3.83
2	North Carolina Central Univ.	A+	A-	A-	3.82
3	University of New Mexico	A+	A	B-	3.74
4	University of Tulsa	A	A	C	3.5
5	Mitchell Hamline School of Law	C+	B+	A	3.24
6	Arizona State University	B+	B+	C+	3.16
7	University of Oklahoma	C+	A-	B	3.16
8	Golden Gate University	B-	B+	B	3.08
9	Oklahoma City University	B+	A-	C-	3.07



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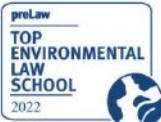


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at other schools.

“Our students of color respect the fact that we are working for them,” McGrath said. “I greet students at the start of the year and out myself immediately as an openly gay man. We make sure that students feel welcome here.”

UNT Dallas College of Law also credits institutional support for its success.

“Our initial vision for the law school was to have a diverse student body and practical training and community connections,” said Dean Felicia Epps.

UNT Dallas College of Law was founded in 2014 and received full ABA accreditation in February 2022. Epps said the school has never considered race in its admission decisions. But it aims to provide ample resources and support to students of all backgrounds.

Studies show that minority students thrive in environments where they are not isolated but feel the support of fellow students and faculty.

Curricular support for diversity

Many of the most diverse law schools offer bar prep programs and class prep for students from underrepresented groups. CUNY Law, for example, offers a law school skills program, which is available to all students.

“For students with lower LSAT [scores], we can provide an environment where we truly support them and they find community and mentorship,” Jacobson said.

The skills program has weekly sessions that track with the required first-



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Best Schools for Hispanic Students

	School	Faculty grade	Student grade	Services grade	Final GPA
1	Texas Southern University	A+	A+	A+	4.33
2	CUNY School of Law	A+	A	A+	4.17
3	University of New Mexico	A+	A+	B+	4.08
4	California Western School of Law	B+	A+	A	4.00
5	McGeorge School of Law	A-	A	A+	4.00
6	University of Miami	A	A+	B+	4.00
7	Barry Law School	A	A+	B	3.92
8	Southwestern Law School	A	A+	B	3.92
9	UC - Irvine	A	A-	A+	3.91
10	Florida International University	A+	A+	C+	3.83
11	Nova Southeastern University	A	A+	B-	3.83
12	St. Mary's University	A	A+	B-	3.83
13	Florida A&M University	A+	A	B-	3.75
14	LMU Loyola Law School	B+	A	A-	3.75
15	University of San Francisco	A	A	B	3.75
16	UNT Dallas College of Law	A-	A+	B-	3.75
17	Santa Clara Law	A	A	B-	3.67
18	UC Law SF	A-	A	B	3.67
19	Western State College of Law	A	A+	C	3.67
20	Stetson University	B	A-	A+	3.66
21	UC Davis School of Law	A	A-	B+	3.66
22	UCLA Law	A	A-	B+	3.66
23	Chapman Fowler School of Law	B-	A	A-	3.58
24	Rutgers Law	A-	B+	A	3.58
25	University of Arizona	A	A-	B	3.58
26	University of Hawai'i	A+	A-	B-	3.58
27	University of Illinois Chicago	A	B+	A-	3.58
28	New York Law School	B+	B	A+	3.42
29	South Texas Houston	C+	A	B+	3.42
30	St. Thomas University	A	A+	D	3.42

year courses. Topics include preparing for class, case reading and briefing, note taking, outlining and studying for exams.

“This allows the instructors to ask students if this is what their notes look like or if they understood the material a professor covered,” Jacobson said.

While most law schools only give a final exam, CUNY Law gives midterms to provide more frequent assessment and feedback.

“Are you understanding this in a way you need to?” Jacobson said the instructors ask.

She said the midterm counts for only 15% of the student’s grade, “but it gives them a good understanding of where they are and avoids blindsiding them at the end of the term.”

UNT Dallas also offers multiple assessments, including midterms and quizzes.

“We want them to see how they are learning,” Epps said. “This allows them to see what they need to work on.”

UC Irvine offers a course that teaches students what lawyers do. It is seen as a tool to help level the playing field for first-generation law students.

“That information is critical for someone without a background in the law,” said Austin Parrish, dean of UC Irvine.

Parrish said the school offers a range of opportunities that are attractive to underrepresented students, including mandatory clinic work, a lawyer skills class and the chance to interview actual clients. UC Irvine also has a high number of students engaged in pro bono legal services.

CUNY Law has bucked the trend

when it comes to financial aid. Instead of using money to entice students who have high LSAT scores, it has moved exclu-

sively to need-based scholarships.

“We know that Black students are more likely to graduate with debt,”



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CUNY's Jacobson said. "Setting up financial support for students is really important."

AccessLex's Taylor agrees. He said the trend in the past 15 years has been to move away from need-based scholarships and toward merit-based aid, something he refers to as "Robin Hood in reverse."

By moving back to need-based aid, law schools can help support the students who need the money the most and improve diversity.

UNT Dallas has also made a commitment to affordability by keeping tuition below \$20,000 a year.

Pipeline to success

Leonard Baynes, dean of University of Houston Law Center, has been a champion of pipeline programs for almost 20 years.

"I have been doing this since 2005, and the beauty of that is that I see the results," he said.



"I have been doing this since 2005, and the beauty of that is that I see the results."

—LEONARD BAYNES, DEAN, UNIVERSITY OF HOUSTON LAW CENTER

Baynes started his first pipeline program at St. John's University School of Law in New York.

More than 340 lawyers can trace their start in law back to a pipeline program that he started. Most of those lawyers came from families with incomes of less than \$50,000 a year, and 50% of them are first-generation college graduates.

"Everybody starts at a different place," Baynes said. "But you, as a student, have the keys to change your trajectory. After we give you the tools, you can do something."

Baynes said a good pipeline program gives students tools and support that more advantaged students take for granted.

Students from underrepresented groups "may not realize how excellent they are because they are competing with a weight vest on that is slowing them down and not allowing them to go as quickly," he said, using the analogy of a swim race.

University of Houston's pipeline program has helped some students improve their LSAT scores by as much as 26

points. The median improvement is 14 points. Undergraduates in the program have also seen their GPAs improve.

In 2020, AccessLex introduced LexScholars, a pathway program to help prospective law students from underrepresented backgrounds. It is only open to students with undergraduate GPAs no higher than 3.3 and LSAT scores below 145.

The program includes LSAT preparation, law school admission counseling, financial education, wellness training and writing skills development. Taylor said the program will need to change some criteria in light of the Students for Fair Admission v. Harvard decision.

The Law School Admission Council recently introduced its own pathway program called LawReady. It is designed to help undergraduates develop the skills necessary for success in law school, navigate the admission process and build a supportive network. More than 75 law schools are participating in the program, with the first group of students expected to enroll in law school in fall 2025.

CUNY Law offers its own Pipeline to Justice program. The school invites applicants who show promise but otherwise would not be admitted to join the nine-month program. Last year 50 students entered the program, which provided preparation for law school and the LSAT. Of those, 35 were admitted to a law school — most of them to CUNY.

“It is a rigorous program that provides mentoring, peer support and institutional support,” Dean Setty said.

A similar program called JD-Next is now accepted by 32 law schools nationwide.

JD-Next is an alternative to the LSAT with a test that is designed to offer a reliable measure of a student’s ability to learn and succeed in law school. In other words, it focuses not on what a student knows but on what the student can learn.

The online program includes an eight-week course covering doctrinal concepts and legal skills workshops. It culminates in a final exam that tests a student’s grasp of the material. Studies show that the test avoids the racial disparities that affect the LSAT and GRE.

“It offers great promise in reducing historic barriers and identifying students

who will thrive in law school and in their careers,” said David Yellen, dean of University of Miami School of Law, which is one of the schools approved by the ABA to use the program in lieu of the LSAT.

CUNY Law, University of California Davis School of Law and Georgetown University Law Center in Washington, D.C., are some of the other schools using JD-Next. McGrath said Cooley Law is

taking a close look at the test.

Taylor, whose organization, AccessLex, helped fund JD-Next, said its potential is almost endless.

“The proof will be in what the data looks like after this [initial] admission group uses the tool and enrolls,” he said. “How will those students do in law school and on the bar exam compared to people admitted the traditional way?”



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