



**THE STATE BAR  
OF CALIFORNIA**

**Council on Access & Fairness**

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**TO: Members, Board Committee on Stakeholder Relations**

**FROM: Craig Holden, Chair, Council on Access & Fairness (COAF)  
Teri Cannon, Vice Chair, COAF  
Patricia Lee, Special Assistant for Diversity and Bar Relations**

**DATE: April 8, 2011**

**RE: Summary of Comments and Discussion from  
Law School Focus Groups**

**Overview:**

As part of its strategic planning activities, the Council on Access & Fairness convenes focus groups among various diversity stakeholders to determine key issues along the diversity pipeline and ways for the COAF to address those issues. One set of such focus groups was convened to determine challenges faced by law schools in recruitment, admission, and graduation of students from diverse backgrounds. To provide comments and insight into this area, the COAF invited law school deans from northern and southern California to provide commentary. The attached summary represents the discussion that took place during those focus groups. The Council recognizes that the following feedback is limited to the specific experience and viewpoints of the individuals participating in the discussion and that the comments do not necessarily represent the opinions of all bar review and academic support representatives throughout the state, nor do they necessarily reflect actual State Bar practices, policies and procedures. The COAF will be reviewing this summary to determine what, if any, follow up will be incorporated into future priorities and work plans.

**The State Bar of California  
Council on Access & Fairness  
LAW SCHOOL FOCUS GROUPS**  
March 16, 2010 Los Angeles  
March 23, 2010 San Francisco

**SUMMARY COMMENTS AND DISCUSSION**

**BACKGROUND:**

On March 16, 2010 (Los Angeles) and March 23, 2010 (San Francisco) members of the State Bar's Council on Access & Fairness (COAF), College/Law School Committee met with admissions and academic support professionals from northern and southern California to better understand how the COAF can assist in providing support and resources for diverse students interested in or attending law school and to understand what obstacles may impede diverse students from entering and matriculating through law school. Representatives from (number) law schools participated in the focus groups. Attendance lists have been maintained, but participants were provided anonymity to allow for candid discussion.

The Council asked participants various questions about

- recruitment strategies for attracting students from underrepresented groups,
- the types of financial support provided to students from underrepresented groups,
- law school admission factors,
- the changing nature of recruitment practices and admissions criteria,
- the overall diversity of the law student population,
- the types of services provided by academic support programs,
- challenges faced,
- trends, and
- the impact of the programs offered.

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## ADMISSIONS DISCUSSION

### COMMENTS:

Participating Law School representatives offered the following comments re: strategies used by Admissions Offices and challenges faced:

- **Strategies to attract students from underrepresented groups:** there was a noticeable difference in responses between participating ABA-accredited and state-accredited/ unaccredited schools. The ABA-accredited schools use mailing lists compiled by various law school support groups (using LSAC lists that identify students of color), recruit at Hispanic-serving and Historically Black institutions, waive fees for students without resources, and use faculty and alumni in the recruitment process

The state-accredited and unaccredited schools indicated that they tend to serve an older working population, which may be more diverse without taking additional steps for outreach and recruitment (although some of these schools described missions designed to attract students of color)

- Some good practices described included: meetings with prelaw groups of 2<sup>nd</sup>-year undergraduate CSU students about skills development and partnerships with inner-city schools (including having students come to law school campus).
- **Financial support provided to students from underrepresented groups:** The admissions professionals confirmed that both race and socioeconomic class impact this area because many students of color and from other underrepresented groups may not have the family support or resources to pay for law school, and may have cultural challenges to the idea of borrowing money.
  - They indicated that private ABA schools generally have merit-based scholarships, which are not designed for students from economically disadvantaged backgrounds.
  - The UC schools have needs-based grants and merit based scholarships, and cannot consider race
  - Both private and public ABA schools confirmed that needs-based funding has moved to merit-based scholarships in order to raise their schools' US News and World Report rankings .
  - Unaccredited and state-accredited law schools have lower tuition, which enables students to pay their own way.
- **Admission decisions:** For the participating ABA schools, admissions decisions were usually based primarily on LSAT and GPA, although compelling personal statements indicating socioeconomic disadvantages or other measures of overcoming adversity could be considered. Most schools read a candidates' entire file. Among the state-accredited and unaccredited schools,

representatives indicated that they deemphasize the LSAT, and at least one school does not use it at all.

- Good practices included having a representative from academic support on the Admissions Committee and having a diverse Admissions Committee.
- **Ways to attract more students from underrepresented groups:** The participating admissions officers had many ideas for attracting students from underrepresented groups. Although some ideas are clearly aspirational, the list includes;
  - diversifying law faculties,
  - getting a critical mass of students of color,
  - deemphasizing US News rankings,
  - additional needs based scholarships,
  - improving and creating more pipeline programs about and to law school, and using specialized student groups, and
  - addressing limitations posed by Prop 209 or working to eliminating Prop 209 altogether

We also discussed with the focus group participants their thoughts about a move toward a valid race-neutral law school admissions test as an alternative or supplement to the LSAT. Most were supportive of the idea (with the unaccredited schools being more interested and supportive in the short term), although they thought they would have issues presenting such a test to their respective administrations. It would be especially difficult to be a “first-mover.”

- **Challenges facing law students with disabilities:** The admissions officers indicated that this group faces specific challenges. LSAT scores are flagged, which tends to send the wrong message about students with disabilities. The students often fail to self report re their disabilities for fear of being stigmatized. Participants indicated that at times, requests for accommodations on the LSAT and bar exam create additional demands and pressure on these students.
- **Bridge programs:** We discussed two models of bridge programs – for conditionally admitted students and for admitted students.
  - Conditional Programs: This type of program is an intensive workshop during the summer prior to entering law school – if students pass, they are admitted to the law school.
  - Admitted Students: Other schools have bridge (summer) programs for the bottom of the entering class or special admits. This builds community among the students and helps them to learn some important skills at the front end of their law school experience.

## **DISCUSSION:**

Discussion of the comments offered above generated the following suggestions for areas for COAF to consider and follow up:

- collaborate with Academic Support experts and organizations to publish resources re: good study and preparation practices and programs and to promote them to law schools.
- devote resources to study and publicize information about several good practices, including diversity weekends as a recruitment tool, bridge programs for diverse students, and seeking more funding from law firms and the bar for scholarships for underrepresented groups.
- research the development of a valid race-neutral law school admissions test to be used by law schools as a supplement or alternative to the current LSAT to identify criteria accounting for the successful practice of law ,

## **ACADEMIC SUPPORT DISCUSSION:**

### **COMMENTS:**

- Participants identified the **kinds of academic support** provided by their law schools as follows:
  - Saturday faculty-led supplemental sessions
  - pre-first semester programs
  - first-semester/first-year courses or programs
  - study groups (mandatory and voluntary)
  - mentors
  - tutors
  - study skills courses
  - extra work
  - exam support
  - feedback on midterms
  - bar preparation support
  - practice multi-state exams
  - mock bar exams
- Most law schools indicated that they have no emphasis specifically on diversity, but offer a menu of options.

- Some supports are mandatory; some are voluntary. Some are mandatory upon admission; some at the end of the first year. Bar preparation is usually done in the last year or after graduation.
- Academic Support Programs (ASP's) identified continued concerns about stigma associated with these programs, costs and effectiveness of ASP; need to train student tutors; and whether programs are more effective if voluntary or mandatory.
- Participants commented on good practices including tutors in every class, special small "by application" courses, and break-out sessions for academic support.
- Tracking of ASP students and outcomes among the participants has yielded inconsistent or inconclusive results because of multiple changes to the programs over time and the inability to attribute actual outcomes to a specific support or another factor or set of factors.
- ASP representatives were concerned about what the outcome measures should be and how results of assessments might be used to undermine support for Academic Support.

**Participating Academic Support Program (ASP) representatives reported many challenges, including**

- lack of funding,
- lack of faculty support,
- too much emphasis on first-time bar pass rates,
- the complexity and wide array of the problems related to supporting students, and
- increase in poor writing skills and second-language issues.

The consensus among the participants was that significant change needs to be made in the pedagogy used by law faculty in order to improve learning and to focus on lawyering skills.

**DISCUSSION:**

Discussion with focus group participants re: the comments presented above resulted in the following suggestions for further consideration by the COAF:

- COAF collaboration with Academic Support Program (ASP) experts and organizations to publish good practices and to promote them to law schools.

- COAF might consider the following to promote effective ASP's:
  - asking the USNWR to include the law school's academic support programs as a factor in its rankings
  - presenting the good practices to the Law School Assembly, and other groups to encourage the creation of similar programs
  - presenting good practices to the ABA Accreditation Standards Committee for possible inclusion in the revised Standards
  - posting good practices on the State Bar website
  - collaborating with Committee of Bar Examiners to consider co-sponsoring a statewide conference for law schools on Academic Support Programs and perhaps the concept of the "changing pedagogy"
- COAF should consult with the Committee of Bar Examiners about the possibility and value of emphasizing the eventual bar pass rate instead of first-time bar pass rate,
- COAF should refer public schools to existing Prop. 209 resources re admissions initiatives and support programs that comply with Prop 209, should schools inquire re this information