

**The New York Times****MARTHA****January 7, 2010**

## **Law School Admissions Lag Among Minorities**

**By TAMAR LEWIN**

While law schools added about 3,000 seats for first-year students from 1993 to 2008, both the percentage and the number of black and Mexican-American law students declined in that period, according to a study by a Columbia Law School professor.

What makes the declines particularly troubling, said the professor, Conrad Johnson, is that in that same period, both groups improved their college grade-point averages and their scores on the Law School Admission Test, or L.S.A.T.

“Even though their scores and grades are improving, and are very close to those of white applicants, African-Americans and Mexican-Americans are increasingly being shut out of law schools,” said Mr. Johnson, who oversees the Lawyering in the Digital Age Clinic at Columbia, which collaborated with the Society of American Law Teachers to examine minority enrollment rates at American law schools.

However, Hispanics other than Mexicans and Puerto Ricans made slight gains in law school enrollment.

The number of black and Mexican-American students applying to law school has been relatively constant, or growing slightly, for two decades. But from 2003 to 2008, 61 percent of black applicants and 46 percent of Mexican-American applicants were denied acceptance at all of the law schools to which they applied, compared with 34 percent of white applicants.

“What’s happening, as the American population becomes more diverse, is that the lawyer corps and judges are remaining predominantly white,” said John Nussbaumer, associate dean of Thomas M. Cooley Law School’s campus in Auburn Hills, Mich., which enrolls an unusually high percentage of African-American students.

Mr. Nussbaumer, who has been looking at the same minority-representation numbers, independently of the Columbia clinic, has become increasingly concerned about the large percentage of minority applicants shut out of law schools.

“A big part of it is that many schools base their admissions criteria not on whether students have a reasonable chance of success, but how those L.S.A.T. numbers are going to affect their rankings in the U.S. News & World Report,” Mr. Nussbaumer said. “Deans get fired if the rankings drop, so they set their L.S.A.T. requirements very high.

“We’re living proof that it doesn’t have to be that way, that those students with the slightly lower L.S.A.T. scores can graduate, pass the bar and be terrific lawyers.”

Margaret Martin Barry, co-president of the Society of American Law Teachers, said that while she understood the importance of rankings, law schools must address the issue of diversity. “If you’re so concerned with rankings, you’re going to lose a whole generation,” she said.

The Columbia study found that among the 46,500 law school matriculants in the fall of 2008, there were 3,392 African-Americans, or 7.3 percent, and 673 Mexican-Americans, or 1.4 percent. Among the 43,520 matriculants in 1993, there were 3,432 African-Americans, or 7.9 percent, and 710 Mexican-Americans, or 1.6 percent. The study, whose findings are detailed at the Web site [A Disturbing Trend in Law School Diversity](#), relied on the admission council’s minority categories, which track Mexican-Americans separately from Puerto Ricans and Hispanic/Latino students.

“We focused on the two groups, African-Americans and Mexican-Americans, who did not make progress in law school representation during the period,” Mr. Johnson said. “The Hispanic/Latino group did increase, from 3.1 percent of the matriculants in 1993, to 5.1 percent in 2008.”

Mr. Johnson said he did not have a good explanation for the disparity, particularly since the 2008 LSAT scores among Mexican-Americans were, on average, one point higher than those of the Hispanics, and one point lower in 1993.

Over all, Mr. Johnson said, it is puzzling that minority enrollment in law schools has fallen, even since the [United States Supreme Court](#) ruled in 2003, in [Grutter v. Bollinger](#), that race can be taken into account in law school admissions because the diversity of the student body is a compelling state interest.

“Someone told me that things had actually gotten worse since the Grutter decision, and that’s what got us started looking at this,” Mr. Johnson said. “Many people are not aware of the numbers, even among those interested in diversity issues. For many African-American and Mexican-American students, law school is an elusive goal.”