

**American Association of Law Schools 2009 Annual Meeting  
Progress? The Academy, The Profession, Race and Gender**

Empirical Findings, Research Issues,  
Potential Projects and Funding Opportunities

**Updated 2007 CBC Annual Legislative Conference  
Research Findings on Minority Law School Enrollment**

Professor and Associate Dean John Nussbaumer  
Thomas M. Cooley Law School  
Auburn Hills Campus

# African American, Mexican American, and Total J.D. Enrollment at ABA-Approved Schools (1995-96 vs. 2007-08)

All data obtained from the ABA Section of Legal Education web site at <http://www.abanet.org/legaled/statistics/stats.html>.

Academic Year	African American J.D. Enrollment	Mexican American J.D. Enrollment	Total J.D. Enrollment
1995-96	9,779	2,495	129,397
2007-08	9,483	2,498	141,719

African American enrollment has also fallen short of the 1995-96 high-water mark in every one of the 11 intervening years, while 20 new schools have been fully or provisionally approved and overall minority enrollment has increased by 61% from 19,034 to 30,657 students.

# Caucasian, African American, and Mexican American J.D. Applicant Shut-Out Rates from ABA-Accredited Schools (2002-2003-2004-2005-2006-2007)

All data obtained from LSACNet.org, the official web site of the Law School Admissions Council (See Data Volume Summaries by Ethnic and Gender Group and LSAT Technical Report 06-03). Includes all ABA-accredited schools.

Applicant Group	Total Applicants	Mean LSAT Score	Total Admitted	Shut-Out Rate
Caucasian	363,360	153	238,960	34%
Mexican American	8,490	148	4,530	47%
African American	59,410	142	22,590	62%

# *Misuse of the Law School Admissions Test, Racial Discrimination, and the De Facto Quota System for Restricting African American Access to the Legal Profession, 80 St. John's Law Review 167 (2006)*

- **82%** (69/84) of the schools in the eight largest U.S. law school markets **raised their 25th percentile LSAT scores** during 2002-2004.
- **62%** (43/69) of the schools that raised their 25th percentile scores **saw their African American student enrollment decrease by an average of 19%**.

St. John's Law Review

Winter 2006  
Volume 35, Number 1  
Board of Editors and Members

Symposium  
The Ronald R. Brown Center for Civil Rights and Economic Development  
presents: The LSAT, S.S. Reed & Mervin Report, and Minority Admissions

Introduction  
Leonard H. Raynes

Abstract Full Text (Word) PDF Format

When "Victory" Meets Retreat:  
The LSAT, Constitutional Questions, And The Test Of Diversity

D. Marvin Jones

Abstract Full Text (Word) PDF Format

Misuse And Abuse Of The LSAT  
Making The Case For Alternative Evaluation Methods And A Reevaluation Of  
Merit

Michael A. Hudson & Deborah W. Reed

Abstract Full Text (Word) PDF Format

The Misuse Of The LSAT:  
Discrimination Against Blacks And Other Minorities In Law School  
Admissions

Veronica R. Hurd

Abstract Full Text (Word) PDF Format

# *The Disturbing Correlation Between ABA Accreditation Review and Declining African American Law School Enrollment, 80 St. John's Law Review 991 (2006)*

- **100%** (20/20) of schools with 25th percentile LSAT scores below 151 that were reviewed by the ABA during 2002-2005 **raised their 25th percentile LSAT scores.**
- **95%** (19/20) of these schools **suffered a decline in the percentage of African American students enrolled.**
- **65%** (13/20) of these schools **suffered a decline in the number of African American students enrolled, with an average decline of 34%**

*Continued*

- **Four schools facing sanctions or the threat of sanctions** substantially raised their 25th percentile LSAT scores and **suffered a 44% decline in the number of African American students enrolled.**
- **Total enrollment** at these schools **increased by 24%** during the same period.



## ▶ PRESS RELEASES

2008 Archives

2007 Archives

2006 Archives

2005 Archives

2004 Archives

2003 Archives

2002 Archives

2001 Archives

## ▶ FACULTY BY EXPERTISE

## ▶ ALUMNI NEWS AND PHOTOS

## ▶ FACULTY IN THE NEWS

## ▶ THE COLUMBIA LAW SCHOOL REPORT

## ▶ CURRENT EVENTS

## Web Site Shows Drop in Minority Enrollment at US Law Schools

### NEW COLUMBIA LAW SCHOOL WEB SITE DOCUMENTS DISTURBING DECLINE IN MINORITY ENROLLMENT AT U.S. LAW SCHOOLS

**Press contact:**

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December 28, 2007 (NEW YORK) – A new Web site created by Columbia Law School documents a disturbing drop in enrollment by African-American and Mexican-American students in America's law schools. Even though African-American and Mexican-American students have applied to law schools in relatively constant numbers over the past 15 years, their representation in law schools has fallen.

Access the data on the new Web site by [clicking here](http://www2.law.columbia.edu/civilrights). The site's URL is <http://www2.law.columbia.edu/civilrights>.

Even more worrisome is the fact that during the same period, African-American and Mexican-American applicants are doing better than ever on leading indicators used by law schools to determine admissibility – undergraduate grade point average and LSAT scores. In addition, the size of law school classes and the total number of law schools have increased – making room for nearly 4,000 more students.

Despite all that, first-year African-American and Mexican-American enrollment has declined 8.6 percent, from a combined 3,937 in 1992 to 3,595 in 2005. The data are provided together for the first time on a new Web site created by Columbia Law School's Lawyering in the Digital Age Clinic, in collaboration with the [Society of American Law Teachers](#) (SALT).

"Most folks are not aware of the numbers, even among those interested in diversity issues," said Conrad Johnson, Clinical Professor of Law at Columbia Law School and a member of SALT's Board of Governors. "Law school admissions among African-Americans and Mexican-Americans is not as happy a story as some might think."

[Conrad Johnson](#), recognized nationally as a leader in innovative legal education, access to justice and technology, is available to speak with the media about the new Web site and the story behind the statistics. He can be reached at 212-854-2141 or [cjohnson@law.columbia.edu](mailto:cjohnson@law.columbia.edu).

"The statistics help people focus on the numbers, not on ideology. Nowhere else on the Web are these statistics pulled together in such depth," Johnson said. The site includes 12 graphs and nearly 200 data points based on Law School Admission Council statistics for each year.

SALT is concerned about the trend because a less diverse body of law students leads to a number of poor outcomes, including a less diverse pool of lawyers and judges to serve the public.

December 2007

Class of 2010

Human Rights Clinic  
Exposes Corrupt Oil, Mining  
ContractsFagan Commentary on NJ  
Death Penalty BanFirst-Ever Rankings of  
Russia's MultinationalColumbia Law School Profs  
Attend Int'l Copyright  
ConferenceCLS Profs File Advocacy  
Briefs on Two Supreme  
Court CasesColumbia Law Experts on  
Baseball Steroid ReportBerle & Means' The Modern  
Corporation Relevant 75  
Years LaterCLS Hosts Conference  
Celebrating 75th  
Anniversary of Berle BookNew Study Ranks Brazil's  
Multinational CorporationsNew Report Finds NYC To  
Be A Human Rights Violator

Faculty Books and Articles

Prolific Faculty: Books and  
ArticlesColumbia Law Experts Can  
Speak on Gitmo Supreme  
Court CaseHamburger's Research  
Highlights First Amendment  
ErosionsGerold '09 Named Kelley  
Drye Scholar for 2007Web Site Shows Drop in  
Minority Enrollment at US  
Law Schools

More Office Solutions to



[BEST PRACTICES](#)  
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All graphs and data points are based on statistics obtained from the [Law School Admission Council](#).

## A Disturbing Trend in Law School Diversity

### *STEADY* **DEMAND**

Over the past 15 years, African Americans and Mexican Americans have been applying to law schools in relatively [constant numbers](#).

### *IMPROVING* **QUALITY**

These African American and Mexican American applicants are doing better than ever on the leading indicators used by Law Schools to determine admissibility: [undergraduate grade point average and LSAT scores](#).

### *RISING* **CAPACITY**

During the same 15-year period, the size of law school classes and the total number of law schools have increased, resulting in [nearly 4,000 more first-year matriculants](#). There were 176 ABA-accredited law schools in 1992. In 2006, that number increased to 195 schools.

### *And yet...* **DECLINING ENROLLMENT**

The percentage representation of both groups has actually [trended downward since 1992](#). In real numbers, there were [fewer African American and Mexican American first year law students in the Fall, 2005 class \(3595 combined\) than existed in Fall, 1992 \(3937\)](#).

COMMITTEE ON  
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COMMITTEE ON STANDARDS  
OF OFFICIAL CONDUCT (ETHICS)



**Stephanie Tubbs Jones**  
**Congress of the United States**  
11th District, Ohio

STATEMENT OF REP. STEPHANIE TUBBS JONES  
SUPPORTING PASSAGE OF H.R. 4137

February 7, 2008

MR. SPEAKER,

I RISE IN SUPPORT OF H.R. 4137, THE COLLEGE OPPORTUNITY AND AFFORDABILITY ACT OF 2007, AS REPORTED BY THE EDUCATION AND LABOR COMMITTEE UNDER THE ABLE LEADERSHIP OF THE GENTLEMEN FROM CALIFORNIA, CHAIRMAN MILLER AND RANKING MEMBER MCKEON.

I WANT TO COMMEND THE CHAIRMAN SPECIFICALLY FOR INCLUDING IN THE BILL A PROVISION REQUIRING THE GOVERNMENT ACCOUNTABILITY OFFICE TO EXAMINE THE IMPACT THAT LAW SCHOOL ACCREDITATION REQUIREMENTS AND OTHER FACTORS HAVE ON THE COSTS OF LAW SCHOOL AND STUDENT ACCESS TO LAW SCHOOL, INCLUDING THE IMPACT OF SUCH REQUIREMENTS ON RACIAL AND ETHNIC MINORITIES. I ALSO LIKE TO THANK MY COLLEAGUE REP. BOBBY SCOTT FOR HIS EFFORTS TO HAVE THIS AMENDMENT INCLUDED.

THIS PROVISION IS IMPORTANT AND TIMELY IN LIGHT OF A FIFTEEN YEAR DECLINE IN MINORITY LAW SCHOOL ENROLLMENT DOCUMENTED BY A COLUMBIA LAW SCHOOL WEB SITE CREATED IN CONJUNCTION WITH THE SOCIETY OF AMERICAN LAW TEACHERS. AS DESCRIBED IN THE NATIONAL LAW JOURNAL AND OTHER PUBLICATIONS, THE SITE USES 12 GRAPHS AND NEARLY 200 DATA POINTS TO ILLUSTRATE AN 8.6% DROP IN LAW SCHOOL ENROLLMENT AMONG AFRICAN AMERICAN AND MEXICAN AMERICAN STUDENTS BETWEEN 1992 AND 2006. THIS DISTURBING TREND HAS OCCURRED EVEN WHILE OVERALL LAW SCHOOL ENROLLMENT NUMBERS HAVE INCREASED AND ADMISSIBILITY INDICATORS FOR MINORITY APPLICANTS HAVE IMPROVED.

IN ADDITION, 2007 STATISTICS FROM THE LAW SCHOOL ADMISSIONS COUNCIL SUGGEST THAT HIGH SHUTOUT RATES MAY BE DISCOURAGING AFRICAN AMERICAN AND MEXICAN AMERICAN STUDENTS FROM APPLYING TO LAW SCHOOL IN THE FIRST PLACE; DATA SHOW THAT THE

This [GAO] provision is important and timely in light of a fifteen year decline in minority law school enrollment documented by a Columbia Law School web site created in conjunction with the Society of American Law School Teachers . . . .

This disturbing trend has occurred even while overall law school enrollment numbers have increased and admissibility indicators for minority applicants have improved.

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NUMBER OF AFRICAN AMERICAN AND MEXICAN AMERICAN APPLICANTS HAS FALLEN SIGNIFICANTLY SINCE 2004.

ONE CERTAIN FACTOR IN THE TREND IS THE OVER-RELIANCE OF LAW SCHOOLS AND ACCREDITORS ON L.S.A.T. SCORES AS AN ADMISSIONS CRITERION AND I EXPECT THE GAO STUDY TO BEAR THAT OUT

IN THE MEANTIME, MR. SPEAKER, THIS TREND THREATENS GREAT HARM TO MINORITY AND DISADVANTAGED COMMUNITIES THROUGHOUT THE UNITED STATES WHERE THE CONSEQUENCES WILL INCLUDE REDUCED ACCESS TO QUALITY LEGAL SERVICES AND LESS ECONOMIC OPPORTUNITY AND EMPOWERMENT. IT IS THEREFORE CRITICAL THAT CONGRESS UNDERSTAND AND TAKE ACTIVE STEPS TO COUNTERACT THE VARIOUS FACTORS THAT HAVE CONTRIBUTED TO THE DECLINE.

REALIZING THE PROMISE OF "EQUAL JUSTICE UNDER THE LAW" REQUIRES THAT WE ENSURE EQUAL OPPORTUNITY TO LEGAL EDUCATION FOR STUDENTS WHO COME FROM, AND INTEND TO SERVE, OUR NATION'S NEEDIEST COMMUNITIES. DESPITE THE REMARKABLE PROGRESS THAT HAS BEEN MADE, MANY OBSTACLES TO OPPORTUNITY REMAIN. WE CANNOT STAND IDLE AS MINORITY UNDERREPRESENTATION IN THE LEGAL PROFESSION INCREASES.

SO, AS WE AWAIT THE RESULTS OF THE GAO STUDY, I RESPECTFULLY URGE MY COLLEAGUES ON THE EDUCATION COMMITTEE TO CONDUCT HEARINGS THAT WILL ILLUMINATE THE PROBLEM, ITS CAUSES, AND EXPERT RECOMMENDATIONS FOR ALLEVIATING IT.

IN CLOSING, I ASK UNANIMOUS CONSENT TO INSERT INTO THE RECORD SEVERAL ARTICLES. THERE ARE CURRENT EFFORTS UNDERWAY BY MEMBERS OF THE CONGRESSIONAL BLACK AND HISPANIC CAUCUSES TO FORMALLY REQUEST A HEARING ON THIS SUBJECT AND TO URGE THE ABA SECTION OF LEGAL EDUCATION TO ADOPT LAW SCHOOL ACCREDITATION STANDARDS THAT ARE CONSISTENT WITH THE GOAL OF INCREASING MINORITY REPRESENTATION IN THE LEGAL PROFESSION.

THANK YOU, MR. SPEAKER. I URGE MY COLLEAGUES TO SUPPORT THE BILL AND YIELD BACK THE REMAINDER OF MY TIME.

One certain factor in the trend is the over-reliance of law schools and accreditors on L.S.A.T. scores as an admissions criterion . . . .



# H.R. 4137 Higher Education Opportunity Act Provisions Relating to Misuse and Over-Reliance on the LSAT

**GAO Study:** Section 951 includes a provision requiring the GAO to study the impact of law school accreditation practices on access to law school by racial and ethnic minorities. It states:

*“(i) GAO STUDY.—Not later than one year after the date of the enactment of this section, the Comptroller General shall conduct a study of, and report to Congress on, the impact that law school accreditation requirements and other factors have on the costs of law school and student access to law school, including the impact of such requirements on racial and ethnic minorities.”*

*Continued*

**NAS Study:** Section 1110 includes a separate provision requiring the Secretary of Education to contract with the National Academy of Sciences to conduct a study to identify any cultural bias in standardized tests, including but not limited to the LSAT. It states:

*“(a) STUDY.—The Secretary of Education shall enter into an agreement with the Board on Testing and Assessment of the National Academy of Sciences for the conduct of a study to identify any race, ethnicity, or gender bias in the content and construction of standardized tests that are used for admission to institutions of higher education.*

*(b) REPORT.—Not later than two years after the date of enactment of this Act, the Secretary of Education shall issue an interim report to the authorizing committees related to the progress of the study under subsection (a).”*

Congress of the United States

Washington, DC 20515

The Honorable  
February 8, 2008  
Page 2

We thank  
to Rashad G.  
Staff to Rep.

*R. G.*  
Rep. Robert G.  
Member of C

February 8, 2008

The Honorable Rubén Hinojosa  
Chairman  
Subcommittee on Higher Education, Lifelong Learning, and Competitiveness  
Committee on Education and Labor  
1040 Longworth House Office Building  
Washington, DC 20515

Dear Chairman Hinojosa:

We write to urge you respectfully to hold a hearing to examine the decline in minority enrollment in U.S. law schools.

As you may know, minority enrollment in U.S. law schools has dropped substantially in recent years, most notably among African Americans and Hispanic Americans. Although African American and Hispanic American students have applied to law schools in relatively constant numbers over the last 15 years, and even though their leading admissibility indicators have improved and the number of law schools has increased, their combined representation fell by 8.6% between 1992 and 2006, from 3,037 to 2,696. Based on information from the Law School Admission Council, this information was reported by Columbia Law School in conjunction with a report on its website (<http://www2.law.columbia.edu/civilrights>). This information also received national attention for its graphic illustration of the points.

As strong advocates for expanded access to legal education for students of color, we find this trend highly disturbing. The consequences on minority and disadvantaged students in terms of reduced public access to quality legal education and empowerment.

We believe a hearing would serve the public interest in this troubling trend. We urge you to take the steps necessary to ensure meaningful access to legal education for all students, and thereby informing an effective

We write to urge you respectfully to hold a hearing to examine the decline in minority enrollment in U.S. law schools.





Slide presentation  
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produced by  
Sarah Nussbaumer