

William & Mary Law School

William & Mary Law School Scholarship Repository

Popular Media

Faculty and Deans

7-21-2021

Law Schools, Law Firms Must Share Responsibility for Diversity

A. Benjamin Spencer

William & Mary Law School, spencer@wm.edu

Follow this and additional works at: https://scholarship.law.wm.edu/popular_media



Part of the [Law and Race Commons](#), [Legal Education Commons](#), and the [Legal Profession Commons](#)

Repository Citation

Spencer, A. Benjamin, "Law Schools, Law Firms Must Share Responsibility for Diversity" (2021). *Popular Media*. 550.

https://scholarship.law.wm.edu/popular_media/550

Copyright c 2021 by the authors. This article is brought to you by the William & Mary Law School Scholarship Repository.

https://scholarship.law.wm.edu/popular_media

US Law Week

Law Schools, Law Firms Must Share Responsibility for Diversity

By A. Benjamin Spencer

July 21, 2021, 4:00 AM

Law schools and law firms must partner to ensure that a pipeline of underrepresented students apply to law school and receive the professional development support they need to remain and advance at firms, William & Mary Law School Dean A. Benjamin Spencer says. Those who make, interpret, and apply the law must reflect the full range of human experiences, thought, and insight into the human condition, he says.

As more fields invest in diversifying the workforce and bolstering opportunity, the legal profession bears a particular duty to ensure everyone has an equal chance to flourish. After all, a fair and just legal system hinges on diversity and inclusion across its ranks.

But progress in the legal world has been too slow. Changing course demands not only reflection but definitive action from all of us who shape the legal community, from educators to mentors and employers. Perhaps most importantly, we must forge stronger partnerships across these groups to ensure our justice system can function with equity, integrity and fairness.

Law schools bear much responsibility, as many keep enrolling classes that are insufficiently diverse. In 2019, according to U.S. News & World Report, 62% of law students were white, 12.7% were Hispanic, 7.8% were Black, 6.3% were Asian and 4% were biracial or multiracial. Those numbers reveal that Blacks and Hispanics continue to be underrepresented compared with their proportions in the U.S. population.

There are many reasons for this — an underdeveloped pipeline, an overemphasis on standardized test performance, and the high cost of legal education.

Law Schools Have Options But Need Law Firm Commitment

To help improve those discouraging statistics, schools have a few options. We can make more scholarship aid available to underrepresented groups, especially those graduating from historically Black colleges and universities. A significant portion of Black applicants to law schools and roughly 50% of all Black lawyers graduated from HBCUs.

We can expand our outreach to undergraduate students from underrepresented backgrounds, encouraging better outcomes on the Law School Admissions Test, or LSAT, and developing better support for these students — including first-generation and low-income students—once they arrive. The latter will be key if we hope to eliminate the significant racial disparities in bar exam performance among law school graduates.

At William & Mary Law School, as at our peer schools, institutional statistics underscore the necessity of progress. In our Class of 2023—last year's incoming class—Blacks and Hispanics represented just 1.7% and 2.2% of 230 students, respectively. That's down from 2017, when the respective figures were nearly 5.4% and 3.2%.

While we're pursuing the diversification strategies within our reach, we know they'll move the needle only modestly unless we pair them with substantial initiatives to develop the pipeline of underrepresented students. Most law schools don't have the financial or human resources to shoulder this responsibility alone. This is where law firms can and should be able to help.

Law firms share the diversity problem: About 26.5% of law firm associates in 2020 were people of color, according to the National Association for Law Placement. Meanwhile, at law schools accredited by the American Bar Association, about a third of new students in 2019 identified as members of a racial or ethnic minority, the ABA noted.

Clearly, to the extent that law schools are not representative of our population, law firms won't be, either.

Ensuring a Diverse Pipeline, Providing Mentors

Thus, it is crucial that firms support the efforts of law schools not only to diversify but also to engage in initiatives that reach back earlier to strengthen that pipeline of diverse law school applicants.

Mentoring high school students, exposing would-be law students to law firms through internships and funding pre-law prep offerings such as the Diversity Legal Pipeline program or Weidner Summer for Undergraduates Program are great ways that firms can do their part. Those pre-law programs in particular can improve performance on the LSAT.

Reinforcing the pipeline to law school will not be enough to address the lack of diversity within law firms, however. Firms need to commit to bringing in more inclusive classes of new associates and to providing them the professional development support they need to remain and advance once they are there. Arnold & Porter's partnership with the National Bar Association to launch an Associate Advancement Academy for Black associates is a model.

Real progress in this area is achievable and has never been more important. The pathways into law schools and legal practice lead to roles that define and shape the justice system itself. As we become more attuned to the entrenched inequities in our midst, it's clear that those who make, interpret and apply the law—and advocate for justice under the law—must reflect the full range of human experiences, thought, and insight into the human condition.

By working together, law schools and law firms can move us closer to that reality.

This column does not necessarily reflect the opinion of The Bureau of National Affairs, Inc. or its owners.

Write for Us: Author Guidelines

Author Information

A. Benjamin Spencer is dean of William & Mary Law School.