

Law schools recruit minority students

By *BUTCH MABIN / Lincoln Journal Star*
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To Daniel Dawes, then a first-year student at the University of Nebraska Law College, the judge's error was clear.

A black secretary had asked her white supervisor why he always singled her out for office cleaning duties.

"He said it's because blacks are dumb, blacks are slow," recalled Dawes, 25, whose instructor described the real-life case to him and his classmates in 2003.

The woman sued, only to have a judge rule the supervisor's behavior was not "outrageous" conduct and dismiss the case, Dawes said.

That was troubling enough for Dawes, who is black. Even more surprising, he said, was his classmates' initial response to it.

"No one spoke up," he recalled. "I couldn't believe it."

He couldn't let the ruling pass without comment.

"I said I thought it was erroneous," he said. "How could the judge, a middle-aged white man, know what it's like to be an African-American female?"

A short but spirited discussion followed.

"Others disagreed with me, but the point is, we talked about it," Dawes said.

Some in Nebraska's legal community would say Dawes' experience is just one example of the benefits a racially diverse student body can bring the state's two law schools.

Mindful of those benefits, and of the shortage of minority lawyers in the state, educators at the NU law college and the Creighton University School of Law in recent years have made increases in minority enrollment a priority.

Both say they've long been sensitive to the issue. But, they say, their efforts have become more focused and formal with the establishment of the state Minority and Justice Task Force in 2000.

Created by the Nebraska Supreme Court and the Nebraska State Bar Association, the task force issued a report in 2003 that recommended, among other things, the schools do more to recruit minority students.

"It's good for students to have interactions with other students different from them," said Anna Shavers, one of two African-American professors at the NU Law College and active with the task force.

"Learning different perspectives is important," she said. "Some of them (white students) will be judges some day."

Patrick Borchers, dean at the Creighton Law School, agreed.

"There are measurable educational benefits in terms of having a diverse class," he said. "It's definitely important to have more minority representation."

Boosting minority representation is no small challenge, for several reasons.

For starters, in a state 90 percent white, the pool of local minority candidates for law school can be frustratingly shallow. In one year, for

example, just 13 minority Nebraskans took the LSAT, the law school entrance examination.

And recruiting out-of-state students can be no less daunting, especially if they are used to living in communities with sizeable minority populations.

Then there's the so-called pipeline issue — factors from family and educational histories to economics that can make law school an unlikely destination for minority youth.

"The frustration is, we're at the very end of the pipeline," said NU Law College Dean Steve Wilborn.

"You almost always have to have a college degree to get into law school," he said. "But you have a percentage of minorities, especially men, that don't even finish high school."

Finally, finding qualified minority applicants — ones likely to survive the rigors of law school — poses special challenges to recruiters. For example, African Americans score 10 points less on average on the LSAT than do whites.

"You don't want to admit students who are not going to be successful," said Borchers. "We're interested in real progress, as opposed to fake progress."

Despite these challenges, both schools say they've made gains.

This year, slightly more than 17 percent of Creighton Law School students identify themselves as minorities — a group that includes African Americans, Hispanics, Native Americans or Asian Americans.

Ten years ago, the figure was under 10 percent, Borchers said.

At NU, 42 of 381 law students this year are members of one of the four major minority groups, said Glenda Pierce, an associate dean at the college.

At both schools, however, year-to-year progress, measured in numbers, has been unsteady.

For example, 18 minority students graduated from the NU Law College in 1995. The following year, 10 graduated, compared to 15 in 1997. In 2003, five graduated from NU, but in 2004, 18 did. Nine are expected to receive their law degrees this year.

National trends might have some bearing on the state numbers.

From 1995 to 2005, white enrollment in the nation's law schools increased 6 percent, according to the American Bar Association. Black enrollment dropped 2 percent during the same period, the ABA reported.

But Pierce said local demographics explain much of the local fluctuation. Percentage swings can be dramatic when the raw numbers are so small.

"One of our big issues here is that we're a small state," she said. "The percentage of minorities that go to college is small. The percentage that go to law school is smaller. It's a pipeline issue."

The numbers might suggest the schools' recent efforts have, so far, produced mixed results, especially considering the greater effort the institutions have made in the past few years to recruit minority students.

But it's probably also true that minority enrollment at NU and Creighton would be markedly lower if the schools were not committed to diversity.

Educators can point to several programs as evidence of that commitment.

Both schools have been key participants in the Diversity Summit, sponsored by the Nebraska Bar Association to provide regional minority

law students the chance to meet some of the state's legal employers. The second annual summit will be in Omaha in October.

And the NU Law College since 1999 has hosted an annual law day for minority Lincoln high school students who were identified by their schools as potential law students.

In addition, the college has the Native American Outreach Initiative, aimed at increasing the school's Native enrollment. In its sixth year, the program has established contacts with Native college students with Nebraska ties and has arranged conferences and special lectures on Native issues.

Results, so far, have been limited, Wilborn said. More fruitful, he said, is the college's summer Pre-Law Institute.

One of eight such programs in the United States, the institute brings undergraduates from schools across the country, including from some of the country's historically black colleges, for a four-week introduction to law school and careers in the profession.

About half of the college's diversity students have come from the institute, now in its fourth year, Wilborn said.

"The word is out it's a good program," he said. "The institute has been fabulous."

Shavers, who participates in the institute, said that, in recruiting, success breeds success.

"We want to reach a 'critical mass,'" she said. "When we do, more will want to come here."

For out-of-state students of color, moving to Nebraska for three years can be a major adjustment, she said.

NU law student Wendy Carey, 23, of Shreveport, La., agreed.

"There aren't as many African Americans here," said Carey, who is black. "Yes, it's an adjustment."

But Carey, who attended the summer institute in 2003, and has a few relatives in Lincoln, said coming to NU was the right choice.

"I think the lack of diversity probably deters some," she said. "It really hasn't affected me that much."

Other ethnic students say they constantly feel the need to be at the top of their games in classrooms almost completely white.

It's about isolation. It's about not wanting to embarrass one's racial group.

Douglas County Juvenile Court Judge Vernon Daniels knew the feeling well. Daniels, one of a handful of black judges in the state, attended NU in the 1980s.

"There was never a day I didn't think about that each time I walked into a classroom," he recalled.

"There was this feeling that there were those who would form an opinion about my race based on me ... I couldn't afford to not be prepared, even if I wasn't going to be called on."

Jennifer Bear Eagle, 27, one of four Native students at the NU Law College, echoed Daniels.

"Oh, I always feel I need to be ready," said Bear Eagle, an Ogallala Sioux. "I think people will have a stereotype, 'Oh, Native American. She'll drop out anyway.'"

"I'd love to see more Native folk here."

Rebekah Caruthers, 25, a second-year student from Omaha, said she has not experienced overt prejudice at the school. Nevertheless, she said, her comfort zone would be greater if the college had more minority students.

"As a student of color, I'd like to see more faces like my own," said Caruthers, who is black. "Law school is stressful enough anyway."

Those stresses can forge bonds often along racial lines.

Law students rely on social connections with each other to navigate the demanding curriculum, said student Dawes, who is from Fort Lauderdale, Fla.

"I think it's really important in law school to have people you can talk to about cases," he said.

Like many other minority students, he studies with other diversity students.

"I tried to study with other groups, (but) it's very cliquish."

Dawes, who will graduate next month, has no regrets.

"I think it's an excellent school, a great place to study," he said. "I've always said that. I truly believe they care about minority students here."

Linda Crump, co-chairwoman of the Minority Task Force Implementation Committee, wants to see more students like Daniel Dawes and Jennifer Bear Eagle at NU.

Recruiting diversity students has to begin early, very early, said Crump, who next fall will become the first African American president of the state bar association.

"We really have to reach far enough back in the pipeline," she said. "If you wait until they get into college, even high school, it might already be too late."

Crump envisions outreach efforts that target high school, even grade school students.

Some of that is already happening, both formally and informally, at least at the high school and middle school levels.

For instance, NU has its annual law day for diversity high school students, and the Hispanic Bar Association of Nebraska has met with middle schoolers across the state.

Then there are lawyers, like Sherman Willis of the Omaha law firm, Fraser, Stryker, who, on their own initiative, encourage minority youngsters to think about law careers.

Willis, 26, a University of Iowa law graduate, is among a handful of African American attorneys who work in large law firms in Nebraska.

The earlier youngsters decide to become lawyers, the better prepared, academically, they'll be for law school, he said.

"You really have to start people off when they're younger," said Willis, who decided on a legal career while a high school student in Texas.

"Young people need to know, 'Hey, I can do this, too,'" he said,

Crump agreed. Misconceptions of the profession can begin at an early age, she said.

"They've (young minorities) probably had experiences with doctors, but it's odd to have an experience with an attorney," she said.

"They may just have a TV version (of lawyers), and many of them behave quite badly," she said.

Crump and Willis take a long view when it comes to diversifying the state's legal community.

So does Jane Schoenike, executive director of the state bar association.

The state's law schools have made significant progress, she said. but the race is far from over.

"I think we all know this is a marathon and not a sprint."

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Print Page