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THE AFRICAN AMERICAN, LATINO AND NATIVE AMERICAN GRADUATES OF ONE AMERICAN LAW SCHOOL, 1970-1996

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In the spring of 1965, only one African American student and no Latino students attended the University of Michigan Law School. At the time, Michigan, like most American law schools, was a training place for white males. In 1966, the law school faculty adopted a new admissions policy that took race into account as a plus factor in the admissions process. This policy of affirmative action has taken many forms over the years, but, across the decades of the 1970's, the 1980's and the 1990's, about 800 African Americans, 350 Latinos, 200 Asian Americans and 100 Native Americans have graduated from the law school. The great majority of the African American, Latino and Native American students would not have been admitted to Michigan if race had not been taken into account.

In 1996, three of us at Michigan who have been interested for many years in the careers of our alumni decided to undertake a survey of all of our minority graduates and a sample of our white graduates. Our principal goal was simply to learn the experiences of 30 years of minority graduates of our school. We also realized that one of many ways to respond to public doubts about affirmative action in admissions would be to demonstrate (if it in fact proved true) that the minority graduates of our school have had productive careers and provided highly valuable service.

It is now three years later, and the study has been completed. We obtained 56 percent response rate from our mailings and have done a great deal of analysis that leads us to believe that our respondents are generally representative of the sample as a whole. In this brief article, we report on our findings about our African American, Latino and Native American alumni between 1970 and 1996. We call them the minority alumni or graduates. We do not report on the Asian American alumni because race was not taken into account for them as an explicit factor

in the admissions process and because nearly all of them graduated in the 1990s and are still quite early in their careers. In many places, we compare the 'minority' alumni to the white alumni, largely because we view the white alumni as a group unlikely to have been disadvantaged by race in their later careers.

The study has yielded two principal findings. The first is that our African American, Lati-

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no and Native American alumni, though, on average, admitted to the law school with lower numerical entry credentials than those of whites, have fully entered the mainstream of the American legal profession. As a group, they earn large incomes perform pro bono work in generous amounts, and feel satisfied with their careers. Although the initial and current job choices of minorities and whites differ somewhat, the achievements of the minority graduates, over time, are quite similar to those of whites, and very few differences are statistically significant.

Our second finding is related to the first. Although Law School Admission Test (LSAT)

“Although Law School Admission Test (LSAT) scores and undergraduate grade point averages (UGPA) . . . do correlate strongly with law school grades, they seem to have no relationship to achievement after law school . . .”

scores and undergraduate grade point averages (UGPA), two factors that figure prominently in admissions decisions, do correlate strongly with law school grades, they seem to have no relationship to achievement after law school, whether achievement is measured by earned income, career satisfaction or service contributions. For

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both our minority and white alumni those numbers that counted so much at the admissions stage tell little if anything about their later careers.

Some of the findings of the study have been recently published in Michigan's alumni magazine, Law Quadrangle Notes. A much longer version will be published early in 2000 in Law and Social Inquiry. Here we report some of the findings that we thought would be of most interest to SALT members. We also hope to interest SALT members at other law schools to undertake similar studies of their own minority alumni and would be glad to provide any sort of advice that we can. David Chambers can be reached at dcham@umich.edu.

BAR PASSAGE

Across all three decades, almost all minority alumni who responded to our survey passed a bar exam after graduation. Overall, 96.4% have been admitted to the bar of at least one state, and many have been admitted in two or more states. We do not know how many, if any, of the 3.6 percent who have not joined a bar (15 individuals out of 552 responding minority graduates) attempted to pass a bar examination and failed and how many chose from the beginning employment that did not require bar membership. We do know that, as a group, these 15 view their non-law careers today with high satisfaction (somewhat higher, in fact, than the respondents who are bar members) and that two-thirds reported on the survey that their legal training is a "great value" to them in their current employment.

WORK SETTINGS AND EARNINGS

The first substantial group of minority students to graduate from Michigan, the graduates of the 1970s, were nearly all African Americans. They entered a world of practice that was largely segregated, and, perhaps for that reason, much more commonly than whites began their careers in government and legal services where opportunities were more abundant. The minority graduates of the 1980s and 1990s were much more likely than the earlier graduates to begin their careers in private firms. Indeed, nearly half of all the minority graduates in the 1980s and again in the 1990s began their careers (after any judicial clerkship) in a firm of more than 50 lawyers. Even in the 1980s and 1990s, however, many more minority than white graduates began their careers in government.

Where do the minority graduates work

today? Table 1 displays by decade of graduation, the current work settings of the minority and white respondents when we surveyed them in late 1997. As is apparent, Michigan's graduates, like graduates of nearly every American law school, work more frequently in private practice than in any other single setting. The minority graduates of each decade work in significant numbers in set-

Table 1

University of Michigan Law School Current Job Settings as of 1997*						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=146	White N=246	Minority N=177	White N=210	Minority N=208	White N=125
Private practice	41%	80%	47%	53%	58%	67%
Solo or firm of 10 or under	27%	23%	22%	15%	15%	10%
Firm of 11-50	7%	14%	10%	11%	10%	13%
Firm of more than 50	7%	23%	15%	27%	33%	44%
Government	23%	14%	19%	10%	20%	9%
Legal Services, Public Interest	2%	1%	4%	3%	4%	2%
Business (as lawyer or employee)	20%	16%	15%	27%	14%	7%
Other	13%	10%	16%	8%	5%	15%

* For each decade, the differences in current job settings are statistically significant when private practice is broken down into three groups by firm size (p < .01)

tings of all sorts and sizes. In each decade, more minority graduates than white graduates work in government.

The minority graduates of the 1970s are a particularly interesting group. At the time of our survey, they had been out of law school between 18 and 27 years. Many of the minority graduates from that decade have never worked in private practice, and most are not in private practice today. Many more are in business and government (taken together) than are in private practice. Many of those in government are in positions of high responsibility. A remarkable 13 percent of all minority graduates of the 1970s serve as judges or public officials or government agency managers (in comparison to 4 percent of white alumni from the 1970s). Half of those in government work for the federal government.

The graduates of the 1980s and 1990s have had career histories more similar to the white graduates. Although, again, more minorities than whites from these decades work in government, the great majority from each decade work in private practice. There is some difference in the private practice settings where whites and minorities work. Minorities are somewhat more likely to work in small firms and somewhat less likely to work in the largest firms.

The minority graduates have prospered

financially. At the time we surveyed them in 1997, the minority graduates from the classes of the 1970s reported 1996 incomes averaging \$141,000, from the classes of the 1980s incomes averaging \$105,000, and from the classes of 1990-1996 incomes averaging \$68,000. The private practition-

“For the classes of 1990 to 1996, the average debt on graduation for the minority graduates was \$57,200 and for the white graduates \$34,600. In the graduating classes of 1995 and 1996, half the minority graduates left law school with debts of \$70,000 or more.”

ers averaged \$168,000, \$125,000 and \$74,000 for the three decades of classes. Taking each decade as a group, they are in the top few percentiles in earned income for persons their age in the United States. To be sure, the graduates of the 1990s don't feel quite as well off as they appear. They were saddled with much higher educational debts than were the graduates of earlier decades – about twice the average debt of the graduates of the 1980s and about six or seven times the average debt of the graduates of the 1970s. Initial salaries after law

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school have also, of course, risen greatly over the years, but not as greatly as debts. In all three decades, the mean educational debts of minority graduates have been much higher than the debts of white graduates. For the most recent graduates surveyed (the classes of 1990 to 1996), the average debt on graduation for the minority graduates was \$57,200 and for white graduates \$34,600. In the graduating classes of 1995 and 1996, half the minority graduates left law school with debts of \$70,000 or more.

UNREMUNERATED CONTRIBUTIONS

Michigan's minority graduates have been generous in giving their time to others. Table 2 displays, by decade, the frequency of mentoring, service on nonprofit boards, participation in political activity and, for the private practitioners, hours of pro bono work. The figures are impressive. The minority graduates have reached out to large numbers of less experienced lawyers and served as mentors for them. In very large numbers, they serve on the boards of civil rights, civic, charitable and religious organizations, significantly more frequently in each decade than the white graduates. They also perform very large numbers of hours of pro bono representational and other work. Though we did not ask about the racial composition of the organizations or groups with which they worked, we believe it highly likely that the minority alumni worked much more frequently than the white graduates with groups in minority communities that might not otherwise have received such voluntary legal help.

Table 2

University of Michigan Law School Unremunerated Contributions as of 1997						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=146	White N=246	Minority N=187	White N=221	Minority N=209	White N=125
Numbers of lawyers mentored (m an)	8	6	5	5	3	2
Serves on at least one nonprofit board	60%*	48%*	48%**	34%**	29%*	19%*
Involved in politics (electoral or issue)	40%	23%	24%	17%	25%	21%
Hours of pro bono legal work in a year for private practitioners (mean)	132	90	103	86	98*	58*
Private practitioners doing 50 or more hours of pro bono work in a year	65%	48%	63%	53%	3%	48%

* Differences are statistically significant (p < .05).
** Differences are statistically significant (p < .01).

CAREER SATISFACTION

The minority graduates are generally satisfied with their careers, fully as satisfied as their white classmates. We asked all our respondents to indicate their overall career satisfaction on a 7-point scale. We report as "satisfied" those who answered our question with one of the three highest scores on the scale. Across all three decades of graduates, 14 percent of minorities and 11 percent of whites put themselves into the highest of the seven categories of career satisfaction; 35 percent of minorities and 41 percent of whites put themselves in the second highest; and 26 percent of

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minorities and 28 percent of whites in the third highest. Those who do not put themselves into one of these highest three categories, nearly all place themselves in one of the next two, not in either of the bottom two. Only 5 percent of minority graduates and 4 percent of white graduates place themselves in the lowest two categories, the categories we consider to indicate serious dissatisfaction.

Table 3 displays the overall career satisfaction of the minority graduates by decade and by the setting in which they currently work. Perhaps the most striking aspect of the satisfaction table is that, within each decade, for both minorities and whites, more of those who work in government are satisfied with their careers than are the private practitioners. The higher satisfaction of the government attorneys has been a persistent finding in Michigan's surveys of its alumni, which we have conducted annually for many years for all graduates 5 and 15 years after graduation. Many private practitioners in their early careers, white and minority, are not very satisfied with their jobs. On the other hand, as the table also reveals, when we compare the white and minority graduates in the same work settings, none of the differences in the pairs of comparisons in any work setting in any decade is statistically significant. (The few differences that look substantial have small numbers of persons in the category.) The short of it is that, taken as a whole, our minority graduates are as satisfied with their careers as the whites, and the longer they've been out, the more generally satisfied they are.

Table 3

University of Michigan Law School Career Satisfaction in 1997*						
(Proportion placing themselves in top 3 of 7 categories)						
	Classes of the 1970s		Classes of the 1980s		Classes of 1990-1996	
	Minority N=144	White N=237	Minority N=184	White N=215	Minority N=205	White N=125
Private practice	80%	79%	70%	71%	63%	72%
Solo or firm of 10 or under	78%	81%	74%	77%	90%	88%
Firm of 11-50	90%	90%	72%	85%	48%	76%
Firm of more than 50	78%	71%	85%	70%	55%	67%
Government	87%	91%	85%	92%	85%	88%
Business	64%	84%	81%	87%	71%	93%
All respondents	79	82%	76%	79%	71%	76%

* In comparison of pairs of minorities and whites in any work setting in any decade, none of the differences is statistically significant.

MINORITY LAW TEACHERS

Roughly 6 percent of the minority graduates of the classes between 1970 and 1996 work today in the field of education. Most of this group - 25 minority graduates in all -- are teachers of law. Since our survey focused primarily on those who practice law in some setting, we did not learn much about the professional life of law teachers -- what or where they taught, for example. But the numbers are important. Michigan is among the ten law schools that provide the largest numbers of law teachers for American law schools. At the beginning of the 1970s, there were almost no African American, Latino or Native American law teachers at predominantly white law schools in the United States. Michigan's minority graduates have played an important part in bringing minority group members onto the faculties of law schools in the United States.

DIFFERENCES AMONG MINORITY GROUPS

Up to this point in our article, we have grouped our African American, Latino and Native American graduates together as our "minority alumni." What differences are there, if any, among these three groups with regard to the aspects of their careers that we have been reporting? Within each decade, we have such limited numbers of Native American respondents that almost no differences between them and the other two minority groups have statistical significance.

The numbers of Latino and African American graduates in our sample are large enough to look for significant differences, but the differences between them are, in fact, quite minor. African American and Latino graduates have made somewhat different initial career choices. During the 1970s and 1980s, many more African Americans than Latinos took a first job in government (25 percent of African American graduates of those two decades, 7 percent of Latino graduates), but during the 1990s, the pattern was reversed (12 percent of African Americans took a first job in government, 25 percent of Latinos). For none of the decades are there substantial differences between African American and Latino respondents in their current work settings, in their current earned incomes, or in their overall career satisfaction. Nor are there significant differences in the amount of pro bono work they perform or in their service on nonprofit boards. Thus, what we display in the tables as the achievements of "minority graduates" is close to the achievements of African American and Latino graduates separately.

THE RACE AND ETHNICITY OF CLIENTS

Among the private practitioners, the Michigan graduates, regardless of race, disproportionately serve clients of their own race. For each decade graduates, a higher proportion of the clients of our African American graduates are African American than is the case for our white or Latino graduates, and a higher proportion of the clients of our Latino lawyers are Latino than is the case for our African American or white graduates. This pattern holds both for our graduates' individ-

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ual clients and for their contacts at organizations, such as corporations. It is especially strong among the private practitioners from the 1970s; for example, among the African American private practitioners of the 1970s, 53 percent of their individual clients and 25 percent of their contacts at their organizational clients are also African American, a much higher proportion of African American clients than is the case for the white or Latino practitioners. There is also a strong correlation for lawyers of each ethnic group between the proportion of same-race attorneys with whom they practice in the same firm and the proportion of their clients and their organizational contacts who are also of that race. For example, African American lawyers working in largely African American firms serve more African American clients than do African American lawyers in firms that are predominantly white.

From one point of view, this distribution of client services among private practitioners can be regarded as a part of the success of Michigan's program of training more minority lawyers. Michigan hopes that its graduates, taken as a group, will serve all segments of the public, and our program has surely increased the numbers of our graduates providing services to African American and Latino individuals and businesses. (Our African American and Latino graduates of the 1970s and 1980s also provide more services than whites to low and middle income individuals.) From another point of view, the implications of the race-linked pattern of clients are more ambiguous, a sign of the persistent salience of race in American society. However the pattern of services is

viewed, it is a reflection that in our culture, as in nearly all others, people seek out people whom they perceive as like them and whom they perceive as likely to serve them well and treat them with respect.

PREDICTING SUCCESS IN PRACTICE FROM ENTRY CREDENTIALS

Nearly all law schools, including Michigan, rely heavily on applicants' scores on the Law School Admission Test (LSAT) and on the applicant's undergraduate grade point average (UGPA) in making decisions about admissions. We examined the relationship between these two figures and the grades the graduates earned during law school as well as the relationship between these figures and achievement after law school. Do high LSATs and UGPAs actually predict better performance in law school? Do they correspond with more achievement after law school? What we find is that there is a strong, statistically significant relationship between LSAT and UGPA, on the one hand, and grades at the end of three years of law school on the other, but no significant relationship between the LSAT or UGPA with regard to what matters much more – the achievement of students after graduation.

The University of Michigan Law School receives far more applications for admission than it has places to fill, nearly always at least ten times as many applicants as there are positions. In deciding

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whom to admit, Michigan considers such hard-to-quantify indicators of ability as applicant essays and letters of recommendation, but it also pays considerable attention to LSAT scores and the UGPA. Critics of minority admissions programs typically point to disparities between minorities and whites in the quantifiable indicators and not to disparities in other indicators of ability to support their claims that race-conscious admissions programs admit minorities who are less competent

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than many rejected white applicants. The flaw in this argument in the law school context is that the usefulness of LSAT scores and the UGPA as law school selection devices has been demonstrated solely with respect to first-year law school grades, rarely examined with regard to grades over the full three years of law school and never, before this study, examined for their relationship to achievement in the practice of law.

In order to measure the relationship between the LSAT and UGPA and performance during and after law school, we combined each graduates LSAT and UGPA by ranking the respondents according to their LSAT scores and their UGPAs and adding their percentile rankings on these two dimensions, yielding an index with the potential range of from 0 to 200. We refer to this measure as the "index." We also constructed three indexes of post-law-school achievement: an index of satisfaction that combines overall satisfaction with the various components of satisfaction; a measure of income that uses log of income to reduce the effects of a few very high income respondents; and an index of community service that combines mentoring, pro bono work and involvement on nonprofit boards. All three indices were created before looking at their relationship to our admissions index or to law school grades.

The combined LSAT and UGPA admissions index does a good job of predicting final law school grade point averages. Students with high indexes tend to earn higher grades than students with lower indexes. For all students, considering each decade separately, the correlations range from .62 to .66, which means that between 38 and 43 percent of the variance in law school grades can be explained by the admissions index alone. (For minorities considered separately, the correlation ranges between .48 and .58; for whites separately, the relation is somewhat weaker but still substantial.)

Given this strong relationship between law school admissions criteria and graded law school performance, one might expect that these quantifiable admissions criteria would also positively correlate with success in practice. Our examination, however, reveals no such relationship. For no decades' graduates is there a statistically significant relationship between the admissions index and either the log of income or our index of career satisfaction. Those with comparatively low admissions indexes earn as much on average as those with high indexes and are as satisfied with their careers. There is a significant correlation, however, between the admissions index and our index of service: in all decades, those with higher admissions index scores tend to contribute less unremunerated service to

society, as measured by our service index, than those with lower indices, and this negative relationship is statistically significant among graduates in the 1970-79 and 1990-96 cohorts. Why there is this mildly negative relationship between the admissions index and community service is unclear. It may possibly be due to the fact that

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Michigan seeks to recruit students who subscribe to the legal professions aspirational norms of service and so admits applicants on somewhat weaker numerical records when they evidence a strong commitment to serving others.

One can easily make too much of our findings about the absence of a positive relationship between numerical admissions credentials and later achievement. It might be tempting to conclude that the skills that predict law school grades don't matter in practice – or to conclude that our graduates would do as well in practice if we admitted all applicants without regard to their undergraduate grades and LSAT scores. Neither of these interpretations correctly understands our data. Most fundamentally, ours is a study only of the students whom the Michigan admissions office actually chose to admit. The Michigan students who are admitted, minority and white, fall within a narrow band of skills and performance, a band of high achievement. All that we have found is that, within that band, the skills measured by the LSAT and UGPA do not predict differences in career achievements when those skills are considered as part of an admissions process that also considers letters of recommendations, nongraded accomplishments and other indicators of ability and achievement. One cannot extrapolate from that conclusion to the conclusion that any randomly chosen group of applicants, including persons with very low LSAT scores or undergraduate grades, would have done as well as the applicants that Michigan admitted. ■