STILL TOO FEW AND FAR BETWEEN: THE STATUS OF LATINA ATTORNEYS FIFTEEN YEARS LATER

By Jill Lynch Cruz

In 2008, the Hispanic National Bar Association's Latina Commission launched a national research project to investigate the professional status of Latina attorneys within the legal profession and to identify the barriers preventing them from fully accessing, advancing, and succeeding in their legal careers.

This initiative was prompted by the apparent disparity between the population of Latinas within the U.S. at that time (7.5%) compared to their sparse representation within the legal field (only 1.3% of all U.S. attorneys).

That 2009 study, Few & Far Between: The Reality of Latina Lawyers, produced several key findings: 1) Latina attorneys were found to be among the most underrepresented attorney group within the legal profession relative to their presence in the U.S. population; 2) their presence in leadership positions was disproportionately limited; and 3) Latina attorneys were likely to earn significantly lower compensation than their non-Latina attorney peers.

Since the benchmark report's release almost fifteen years ago, numerous questions remain regarding the extent of progress made by Latina law students and attorneys since these initial findings. These questions revolve around evaluating the presence and advancement of Latina attorneys across various legal fields, particularly in comparison to other attorney groups.

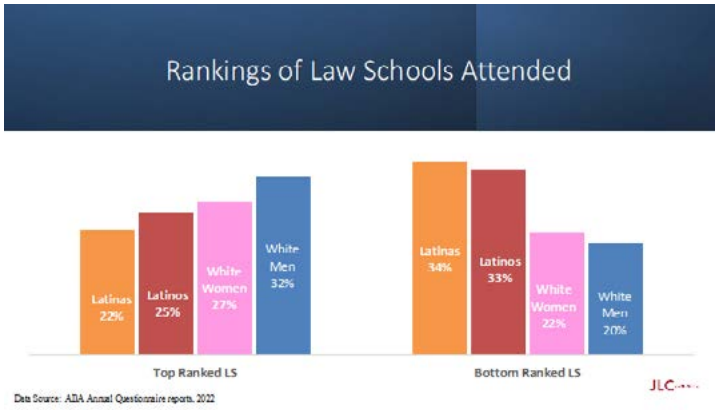
The upcoming report, titled *Still Too Few & Far Between: The Status of Latina Attorneys Fifteen Years Later,* aims to address these pressing questions by examining the statistical representation and progress of Latina law students and attorneys from the initial study up through today.

Although there have been slight improvements, such as a rise in the number of Latinas pursuing legal careers, Latina attorneys are still too few and far between across the legal profession, especially at the highest levels. Moreover, they are likely to encounter a significant wage disparity based on both their ethnicity and gender. Here is summary of the study's key findings:

KEY FINDINGS

1. **The Rise of the Latina Law Student:** One notable area of progress and optimism lies in the substantial rise in the presence of Latina law students. Latinas currently constitute the third largest group of law students enrolled, showcasing a noteworthy increase of 4% in their representation over the past 15 years from 4.4% in 2009 to 8.4% in 2022. Although still slightly below their proportion in their current U.S. population, this positive trend reflects significant progress and provides hope for their future.

2. **Lower Admittance to Top-Tiered Law Schools:** Latina law students are considerably less likely than their White male and female counterparts to secure admission to the most prestigious ABA-accredited law schools. Although the validity of law school rankings remains controversial and highly debated, it is apparent that marked inequity still exists in the admission rates of Latinas to prestigious educational institutions. This situation is expected to exacerbate further following the recent *Supreme Court ruling Students for Fair Admissions, Inc. v. President and Fellows of Harvard College* prohibiting race-based admissions.

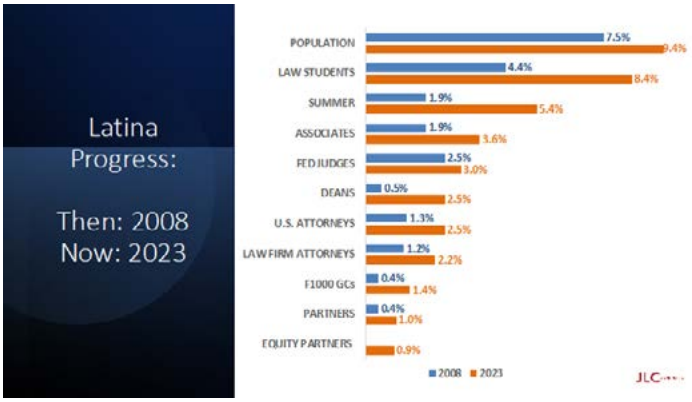


3. **The Improved Pipeline of Latinas at Entry Level within Law Firms:** In addition to the notable rise in the representation of Latina law students, there are encouraging signs of a better pipeline for Latina attorneys in law firms. This is particularly evident in the increased placement of Latina summer associates, which has nearly tripled from 1.9% in 2008 to 5.4% in 2022.

   Even Latinas'representation in the associate ranks has experienced a moderate increase from 1.9% to 3.6% in recent years. While breaking through to partnership levels still appears elusive, these developments suggest an increasing pool of Latina attorneys positioned to take on leadership roles within law firms and other legal realms.

4. **Progress Within the Legal Profession Remains Unsatisfactory:** Latinas constitute the most significant and fastest-growing racial and ethnic minority group in the United States, amounting to 9.4% of the total population in 2023. Yet, their standing in the legal profession remains disproportionately low, with only approximately 2.5% of all attorneys identifying as Latina.

   This disparity highlights a concerning trend. Despite the significant population of Latinas in this country, their growth and representation within the legal profession have not kept pace with their growing presence, especially compared to other attorney groups.



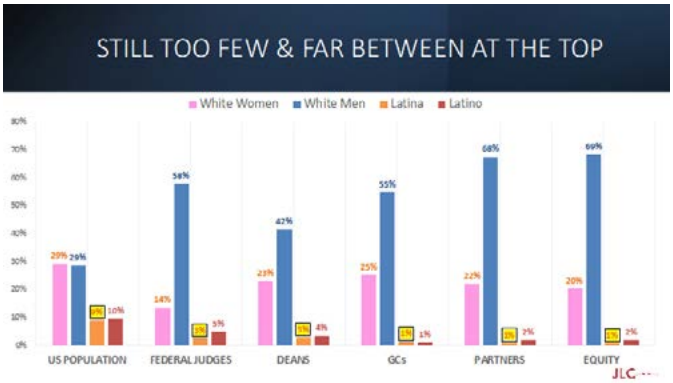
5. **Still Too Few & Far Between at the Top:** Underscoring the findings of this latest study is that Latinas remain among the least represented when considering their population in the United States. This is especially true at the highest levels within law firms, corporate law departments, the judiciary, and legal academia, where Latina attorneys account for 3% or less of these industry leaders.

Law Firm Partners: The current state of Latina partners in law firms is cause for great concern. Despite more Latinas choosing to pursue legal careers, successfully starting their journey as summer associates, and even a modest increase in their numbers as associates, their presence at partner levels in law firms has remained alarmingly low, at less than 1%. This is a distressing statistic, as it reflects the lowest representation among all racial, ethnic, and gender attorney groups compared to their overall U.S. population.

Corporate General Counsel (GC): While the number of Latina general counsels in Fortune 1000 companies has risen from 4 in 2008 to 14 in 2022, they still account for only 1.4% of all Fortune 1000 GCs. This reveals an 8% shortfall when compared to their U.S. population.

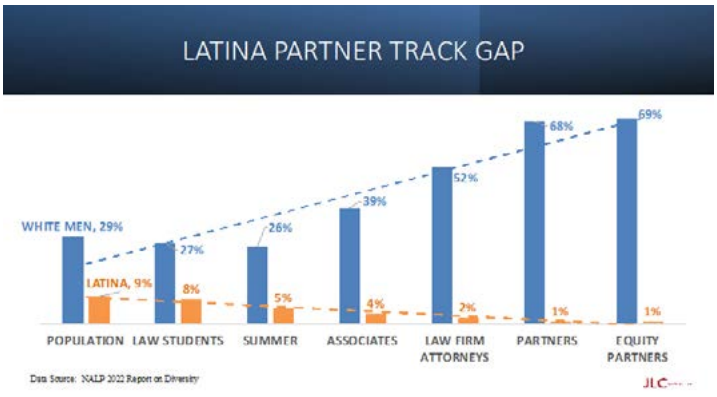
Judiciary: Latinas are significantly underrepresented in the federal and state supreme courts, making up less than 3% of these justices. Even with the recent push to nominate more Latinas to the federal bench, the presence of Latina federal judges has remained stagnant over the past 15 years since Sonia Sotomayor became the first and only Latina Supreme Court Justice in 2009.

Legal Academia: Currently, only six Latinas hold the position of dean in ABA-accredited law schools. While this is a significant increase from the one and only Latina dean in 2008, this represents a meager 3% of all deans in the country, making Latinas one of the most underrepresented groups in these prestigious roles. Moreover, there have been only 8 Latina deans in the history of legal academia.



6. **Latina Partner Track Gap:** The path to partnership within law firms reflects a notable disparity when comparing the career trajectories of Latinas and White men, who represent the opposite ends of the spectrum in terms of their rate of advancement.

   Although both groups start as law students and summer associates arguably on an equal footing, there is a significant gap in their career advancement over time. As both groups progress in their careers, the gap becomes particularly striking and significantly wider at higher ranks, especially at the most senior levels where there exists an astonishing 67% gap in the representation of Latina versus White male partners.



7. **Latina Attorney Wage Gap:** Latinas also appear to face a multi-layered wage gap caused by the intersection of their race, ethnicity, and gender. Recently published compensation survey data for general counsel and law firm partners report that both Hispanic/Latinx and women lawyers consistently earn lower salaries than other attorney groups. These findings are similar to those of the 2008 HNBA Commission Study and other evidence indicating the presence of a significant pay gap for Latina lawyers.

CONCLUSION

The findings of this study highlight the persistent inequality in the representation and career progression of Latina lawyers in the legal field, particularly within law firms. To ensure the future success and advancement of Latina lawyers, it is essential to adopt a comprehensive and inclusive approach that involves the cooperation of various stakeholders in the legal industry.

This multifaceted approach must break down barriers and provide opportunities for professional growth and leadership development for Latinas at all career stages. Furthermore, it is imperative to establish robust systems, policies, and practices that promote transparency and accountability, specifically those related to candidate selection, appointments, promotions, and fair compensation practices.

Jill Lynch Cruz, *Ph.D., PCC of JLC Consulting, is an executive coach and career development consultant with over 25 years' experience helping to empower primarily Latina attorneys to navigate, enhance, and advance their careers more successfully. In addition, she has held several executive-level HR roles at prominent DC law firms.*

Dr. Cruz is also a nationally recognized expert and scholar on the career and leadership development of Latina attorneys and has collaborated with the HNBA's Latina Commission since 2008 as a researcher, coach, trainer, speaker, and Latina Commissioner. Contact Jill directly at jcruz@jlc.consulting or access her website at www.jlc.consulting for further information about her and the services she provides.