THE RISE OF LATINA LAW STUDENTS: SIGNIFICANT PROGRESS AMID PERSISTENT CHALLENGES

By Dr. Jill Lynch Cruz

The status of Latina law students in the U.S. is a tale of two stories: one of significant progress and another of enduring challenges within the legal profession. On the one hand, their increasing numbers align closely with their demographic representation in this country. This signals a hopeful future and an expanding pipeline of Latina attorneys.

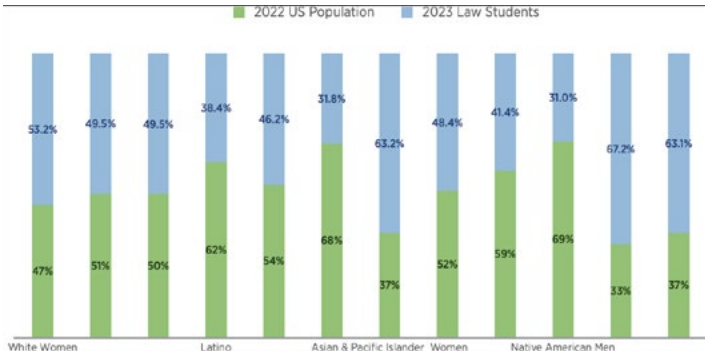
On the other hand, this positive trend is tempered by potential obstacles that could stall this progress and impact their future career prospects. Challenges such as gaining entry into prestigious law schools, uneven success rates on the bar exam, and significant underrepresentation in the legal profession, especially in leadership roles, underscore the critical need for sustained efforts to enhance diversity in legal education and the broader legal landscape.

This article provides a snapshot of the current standing and advancement of Latina law students over the last fifteen years, laying the groundwork for an in-depth exploration in the forthcoming article, ***"Still Too Few and Far Between: The Status of Latina Lawyers in the U.S."*** Chicanx-Latinx Law Review, Volume 40," to be published in the spring of 2024.

Latina Law Students Third Largest Cohort

Over the last fifteen years, the landscape of legal academia has experienced a significant shift, with Latina law student enrollment closely mirroring their current 9.4% share of the U.S. population. Since 2009, their representation has more than doubled, growing from 4.5% to 9.2% in 2023. This growth places Latinas as the third largest demographic group among first-year law students and the first among students of color. For a detailed comparison with the U.S. population and other student groups, refer to Chart 1.

Chart 1: 2023 Representation of Enrolled (1L) Law Students

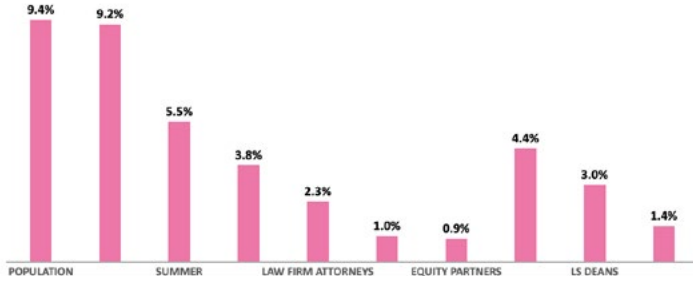


Data Source: 2022 U.S. Census Population Estimates: ABA 2023 First-Year Enrollment by Gender & Race/Ethnicity Aggregate

The notable rise in first-year Latina law students over recent years can be attributed in part to the initiatives and efforts of the HNBA's Latina Commission. Their pipeline programs, particularly outreach programs like "Pearls of Wisdom," are designed to engage Latinas in underserved Hispanic communities to consider law as a career path but also play a pivotal role in diversifying law school enrollments.

In addition to the increase in first-year Latina law students, their presence as summer associates in law firms has climbed from 1.9% in 2008 to 5.5% in 2023. While this appears promising for the pipeline of future Latina attorneys to take on senior roles, their pathway to partnership as well as leadership positions in other legal sectors remains challenging. As illustrated in Chart 2, this disparity is evident in the underrepresentation of Latina attorneys across the legal profession, especially at the highest levels, as compared to their demographic proportion.

Chart 2: 2023/2024 Representation of Latina Law Students and Attorneys

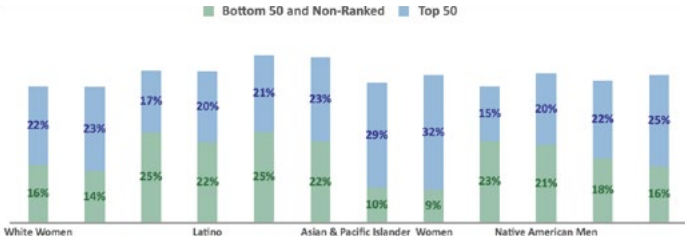


Source: Jill Lynch Cruz, ***Still Too Few and Far Between: The Status of Latina Lawyers in the U.S.***, 40 Chicanx-Latinx L. Rev. (forthcoming 2024).

Unequal Enrollment in Top-Tiered Law Schools

The increased pipeline of Latina law students is juxtaposed with their underrepresentation in top-tier law schools. In 2023, only 17% of all Latina enrollees gained admission to the top 50 ranked law schools, while 25% were enrolled in the lowest-ranked or unranked institutions. This inequality is particularly evident when comparing Latina law school rankings with those of their white and Asian & Pacific Islander peers (see Chart 3).

Chart 3: Law School Rankings of First-Year Law Students (2023)



Data Source: ABA 2023 First-Year Enrollment by Gender & Race/Ethnicity Aggregate; U.S. News & World Report's Best Law Schools 2023–2024

Despite the ongoing debate over the appropriateness and validity of law school rankings, this underscores systemic inequities in legal education that affect Latinas' entry into the most prestigious institutions. Moreover, the preference for candidates from prestigious law schools in hiring decisions, coupled with the tendency for graduates from these institutions to command higher salaries, highlights the impact of these educational disparities on the future career trajectories of Latina attorneys.

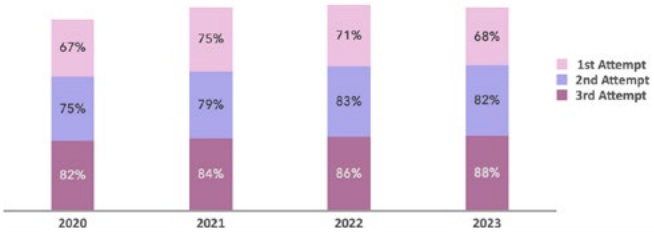
Furthermore, the Supreme Court's decision in ***Students for Fair Admissions, Inc. v. President and Fellows of Harvard College,*** restricting ethnic and race-based admissions criteria could pose still more barriers for Latina law students seeking admission to elite institutions. Historical data illustrates the negative impact of state affirmative action bans on racial diversity in law schools, particularly affecting Black and Hispanic students, including Latinas. Without targeted efforts to maintain diversity in legal education, the path forward for Latina students in navigating the admissions landscape and achieving proportionate representation in top-tier law schools could become even more daunting.

Bar Passage Improves Significantly with Subsequent Attempts

The bar exam, a critical hurdle for aspiring lawyers, highlights both challenges and resilience among Latina test-takers. Data from 2020 to 2023 reveals fluctuating first-time pass rates for Latina candidates, ranging between 67% and 75%, notably lower than their white counterparts who scored 83-84% on their first attempt in 2023.

Despite these variations, there's been a clear trend of improvement in subsequent attempts. According to the 2023 ABA Bar Passage report, 82% of Latina candidates succeeded on their second attempt, and 88% by their third. This underscores the resilience and determination of Latinas in overcoming obstacles in their pursuit of legal careers.

Chart 4: Latina First and Ultimate Bar Passage Rates (2020–2023)



Data Source: ABA 2020–2023 Bar Passage Rates

Charting a Path Forward

The rise of Latina law students is a beacon of hope in diversifying the legal profession, yet some challenges remain. To sustain their progress, comprehensive initiatives are proposed to support Latina law students in every stage, from pre-law to the bar exam. This includes establishing Latina pipeline and alumni networks with esteemed institutions, expanding outreach efforts to Hispanic communities, facilitating mentorship opportunities with practicing lawyers, prioritizing holistic admissions criteria, and offering targeted support for bar exam preparation. These and other measures represent crucial steps toward empowering current and aspiring Latina law students in their journey to becoming attorneys.

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.