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THE PERCEPTIONS OF BLACK LAW STUDENTS REGARDING THE BARRIERS OF
ACCESS TO PUBLIC LAW SCHOOLS LOCATED IN THE SOUTH

A Dissertation presented in partial fulfillment of the requirements
for the degree of Doctor of Philosophy in Higher Education

Department of Higher Education

The University of Mississippi

by

JOSHUA QUINN TUCKER

May 2022

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ABSTRACT

This qualitative study applies the conceptual framework of Positive Deviance and the theoretical framework of Critical Race Theory to understand the problem of low Black student enrollment at four public law schools in the South. Positive Deviance is based on the observation that in every community there are certain individuals or groups whose uncommon behaviors and strategies enable them to find solutions to problems than their peers without fully understanding how, while having access to the same resources and facing similar or worse challenges. Critical Race Theory analyzes the role of race and racism in perpetuating social disparities between dominant and marginalized racial groups.

The purpose of this study was to gain a more comprehensive understanding of barriers of access to law school amongst Black students and how those students were successful in overcoming those barriers to access law school. This qualitative study allowed six self-identifying Black students at public law schools in the South to share their experiences through interviews. The participants were interviewed using a protocol and line of inquiry informed by these barriers obstructing their pursuit of a legal education. Critical Race Theory enabled this study's participants to articulate their perspectives and experiences through the tenant of counter-storytelling; in return, it allows others to better understand the problem of low Black enrollment at public law schools located in the South.

Findings indicate that Black students' perceptions of the barriers of pursuing a legal education are consistent with those identified in the literature and relate to the Law School Admission Test, the affordability associated with pursuing a legal education, the educational pipeline, the culture of the legal community. The resources, skills, and strategies these positive deviants used to mitigate these four challenges included support from others and utilizing available resources. As a result, this has enabled Black law students to be successful in the law school admissions process.

DEDICATION

I would like to dedicate this dissertation to my mom. I dedicate this dissertation to you for many of reasons; however, I dedicate this dissertation to you because you instilled in me the value of an education. Not just with me, but you also stressed the importance of an education with all of your children. From grade school to now, you have been the only person that inquired about my grades, no matter how sensitive the subject may be. Well mom, I did it! Now that it is done, I think I am finished with school. Well at least I hope so.

I could not have received a better mom, and I would not trade you for anything in the world. Throughout my entire life, you have been one of my biggest supporters in your own unique way. To some, a mother and son relationship is special; however, our relationship is truly one of a kind. Thank you for being who you are and always supporting me in every way possible.

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Dr. Macey Edmondson, thank you so much for being best! When I first started law school in 2017, you were the Assistant Dean of Admissions and Scholarships. One day, I visited your office to discuss my scholarship; however, all I could focus on were your credentials; JD/PhD. You were the first person that I met that had those credentials, I secretly thought it was cool. I still think it is cool! What is so ironic is that your office where I first met with you is now my office at the Law School. Hopefully, that is an indication of what will come in the future. From serving as your Research Assistant in law school to now, you have been instrumental in my pursuit of a PhD. Truly, I cannot thank you enough for all that you have done.

I could not have asked for a better committee. You all are more than a committee; you all were a team: Dr. Ethel Young-Scurlock, Dr. K.B. Mealer, Professor Gershon, and Dr. Webb. When I was forming my committee, I could not have thought of any others that could match all that you all had to offer. Each of you were instrumental in my success in the PhD program and during the dissertation process. Thank you.

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CHAPTER 1

INTRODUCTION

According to Alexander Astin, the United States' education system is a pipeline that creates opportunities for leadership and influence in our society; however, Astin contends that this pipeline has five major points in which African American/Black students depart: (1) the completion of high school, (2) the entry to college, (3) the completion of college, (4) the entry into graduate or professional school, and (5) the completion of graduate or professional school. (1982). Consequently, the loss of African American/Black students at these five points results in the underrepresentation of African Americans/Blacks in high-level employment positions. In order to remedy this disparity, scholars have continued to investigate the reason that African American/Black students exit the pipeline at these points. One area of investigation is the lack of representation amongst African American/Black professional school applicants. In the context of this study, the focus was the perceptions of any possible disparate treatment in the law school admissions process at law schools located in the southern region of the United States as experienced by African American/Black law students and what positive deviants allowed them to be successful in matriculating into law school. For this study, the use of Black and African American along with Caucasian and White were used interchangeably.

Since the inception of law schools, Caucasian/White males have comprised the majority of enrolled and graduated students. Based on the American Bar Association's (ABA) profile of the legal profession, that is still the case (American Bar Association, 2020). According to LSAC's *Diversity in Law School*, "access to justice is essential for a democratic society, and

diversity in the legal profession increases the likelihood of access for people from an increasingly diverse population. Law school diversity enables individuals from a wide range of backgrounds to add their perspectives to the greater legal community” (Law School Admission Council, n.d.-b). The legal profession needs attorneys who look just like those who are most affected by the justice system, and who share similar life experiences. According to James Douglas, “. . .African Americans have always had hope . . . that as long as there were African-American lawyers these lawyers could and would somehow fashion a remedy to rescue African-American people from the evils of the American society (Ford, 2008).

Background of the Problem

Historically, the legal profession has been primarily composed of Caucasian/White men (Kanu, 2021). For many, that is a problem. Despite this historical context, there has been a shift in the legal profession’s demographics to include members of minority races, specifically African Americans. Before acknowledging and addressing some of the barriers that Blacks are faced with when seeking to enter the legal profession, one must understand the dynamics of the education of Black people in the United States. It is no surprise that Black students are less likely to graduate high school, less likely to attend college, and less likely to attain a professional career (Libassi, 2018). According to the Center for First-Generation Student Success (2020), one reason related to this matter is that most Black students are first generation college students; and unlike most White students, Black students are more likely to navigate the college experience with little to no family financial support. According to the Postsecondary National Policy Institute, the United States Department of Education classified 41% of Black students to be first generation; this is in comparison to the 25% of White students (2021). This is important to acknowledge because Black students may not be afforded the same experiences and opportunities because of

their upbringing. Black students are fortunate if they have had a family member to attend college, but it is not common for most Black prospective law students to know an attorney personally or to even have an attorney in the family (Runyon, 2021). This is important to highlight given that many prospective White students may personally know or have attorneys in their families to help them navigate the process of applying and attending law school (Wasby & Daly, 1994).

Due to this lack of financial support from family members and professional connections, many Black students are unfamiliar with the process of applying to law school. Unlike White students applying to law schools, Black students typically do not start the process early which puts them at a disadvantage when it comes to preparing to apply to law schools. Prospective students also must take into consideration varying application and scholarship deadlines for each law school. For those students who are applying to law school, they must learn to juggle their current studies if they are still pursuing an undergraduate degree or must learn to juggle their professional responsibilities if they are a non-traditional student (Manzi, 2020). Typically, most students start preparing for law school during their junior year of their undergraduate career; however, there is no definitive timeline as to when that process may start (Tomer, 2018). Advice from most law school admissions professionals would be for students to spend at least three to six months actively preparing for the Law School Admission Test (LSAT) (Kuris, 2021). For those Black students that may have part-time jobs to pay for their undergraduate degree, they may not have enough time to study for the LSAT outside of their undergraduate coursework and jobs (Manzi, 2020). Having to focus on undergraduate studies and work in order to pay for school and the cost of being a student, students that plan to apply to law schools take on additional stress. They also have to study for the LSAT and pay for expenses that come along

with applying to law school, all while doing so with little to no financial support from family members. Unlike similar admissions tests to get into graduate and professional schools, the LSAT is an admissions requirement that requires a lot of preparation. Up until 2020, the LSAT was a 4-hour testing in a large room with hundreds of individuals consisting of multiple sections testing on areas ranging from analytical reasoning to reading comprehension (Law School Admission Council, 2020). Due to the COVID-19 pandemic, LSAC began offering the LSAT Flex; the LSAT Flex is a condensed version of the original test that can be taken remotely.

Compared to White students, Black students often do not have the resources to be as successful as they need to be. A new study AccessLex Institute and reported by Bloomberg Law indicates show that the LSAT is a test of resources (Merritt et al., 2021). On top of managing undergraduate coursework and/or professional experiences, students must determine a good strategy as to when and how to study for the LSAT. Like with any admissions test, there is a wide range of LSAT prep books and materials available. Some of those resources are free, and some are not. The lack of availability of free resources creates another barrier for Black students. Based on study by the AccessLex Institute, “Candidates of color are less likely to have the financial resources to support this preparation” (Merritt et al., 2021). More so, the authors of stated that “Given racial disparities in family resources, the exam’s disparate racial impact is predictable” (Merritt et al., 2021). From personal experiences and observations, many Black students do not have the additional means to prepare at the same level of their White counterparts. If they do have additional funds, they are more conscious about spending large amounts of money on LSAT prep resources. Even with this in mind, students are aware of the impact of a higher LSAT score and how it impacts access and financial aid packages. Due to this situation, Black students often depend on outdated resources or resources that do not efficiently

and effectively prepare them for the LSAT (Weekes, 2009). Along with the intricacies of preparing for the LSAT, students must register for the LSAT. Expenses associated with the LSAT will continue to increase depending on the number of times a student registers for the LSAT. There are varying costs associated with registering for the LSAT that prospective law students will encounter. Given the rigor of the LSAT, most students take the LSAT more than once with two testing sessions being the average (Lauth et al., n.d.). A new trend to prepare students for the LSAT is that many institutions are offering pre-law seminars with a focus on LSAT preparation.

There are other financial barriers associated with the law school admissions process. For every law school that a student applies to, he or she may have an associated application fee; however, many law schools will offer a fee waiver. The caveat to that is that most students may not be aware that they can request a fee waiver. Some law schools will make that information known on their marketing materials. In other instances, students may have to inquire about fee waivers at law schools if they are aware that they can. Along with applying to multiple law schools, many students often incur additional expenses by visiting law schools across the country to determine if he or she will be a great fit for a particular law school. Aside from school visits, applicants can engage with prospective law schools through off-site events. In the law school admissions arena, many institutions host law school fairs where law schools admissions professionals attend to engage and recruit students. Such recruiting opportunities serve various purposes ranging from recruiting more students with high LSAT scores to recruiting more racially/ethnically diverse students. The LSAC also hosts several forums across the country where students can register to meet many law schools at a single event; however, these forums

are not free for students to attend, which presents additional expenses for students to incur (Law School Admission Council, 2021).

Due to these financial barriers, the Law School Admission Council (LSAC) offers fee waivers as a means of leveling the playing field for those who are not financially fortunate (Law School Admission Council, n.d.-c). A LSAC fee waiver provides students with free LSAT preparation materials, two LSAT tests registrations, and law school applications' fee waivers. At the inception of this offering by the LSAC, the opportunity was created to eliminate some of the financial barriers associated with law school admissions, but it has also created another barrier. Applying for the LSAC fee waiver is a tedious process that requires numerous documents to support the application. Recognizing this barrier, LSAC has adjusted its fee waiver process to ensure that students, especially minority students, take advantage of the opportunity.

The financial barriers associated with the LSAT and applications are not the only monetary concern. The most prevalent financial barrier associated with law school and with a pursuit of educational attainment is determining how to pay for legal education (Law School Admission Council, n.d.-c). Depending on the institution type and other factors, tuition and cost of attendance can be a major financial barrier. When students are looking into law schools, the affordability of a program is a major component. For the most part, scholarship packages and determinations are based heavily on LSAT scores and GPAs. Given law school rankings, most students will seek to apply to tier 1 law schools despite the considerable cost of attending those law schools coupled with the already known challenges (Ebadolahi, 2019).

Statement of the Problem

Unlike undergraduate and graduate programs, law schools are professional schools that are not widely available. Considering the complexities of Black students in higher education and

the barriers associated with baccalaureate programs, many Black students are not knowledgeable of post- baccalaureate programs like law schools. According to law school profiles provided by the Law School Admission Council (LSAC), there are 27 law schools in the southeastern region of the United States (Law School Admission Council, n.d.-g). Tables 1.1 and 1.2 provide ethnic demographics of applicant statistics over a 5-year period.

Table 1.1

Ethnic Makeup of Law School Applicants from 2016-2020

Year	African American/Black		Caucasian/White		Other*	
	Applicants	% of Total Applicants	Applicants	% of Total Applicants	Applicants	% of Total Applicants
2020	8,996	13%	37,932	54%	23,809	34%
2019	8,825	13%	37,937	55%	22,735	33%
2018	8,974	13%	38,504	57%	19,878	30%
2017	8,504	14%	35,639	57%	18,144	29%
2016	8,572	14%	35,360	57%	18,088	29%

*Other includes Australian, American Indian, Alaska Native, Asian, Canadian, Hispanic, Pacific Islander, Not Indicated, and Puerto Rican (Law School Admission Council, 2021)

Table 1.2

Ethnic Makeup of Law School Admitted Students from 2016-2020

Year	African American/Black		Caucasian/White		Other*	
	Students Admitted	% of Total Admitted	Students Admitted	% of Total Admitted	Students Admitted	% of Total Admitted
2020	4,282	9%	29,392	60%	15,437	31%
2019	4,167	9%	29,733	61%	14,632	30%
2018	4,376	9%	31,102	64%	13,074	27%
2017	4,334	9%	29,560	64%	12,572	27%
2016	4,595	10%	29,331	63%	12,839	27%

*Other includes Australian, American Indian, Alaska Native, Asian, Canadian, Hispanic, Pacific Islander, Not Indicated, and Puerto Rican (Law School Admission Council, 2021)

The low number of enrolled Black students at American Bar Association (ABA) accredited institutions is not just unique to law schools in the South, nor is it a new phenomenon in legal education. Total enrollment numbers of Black students at law schools have hovered between 4,000 and 5,000 nationally, representing less than 10% of the total national law school enrollment (Law School Admission Council, 2014). The problem of low application numbers, admittance rates, and enrollment numbers amongst Black students is important to address given that the Black population is significantly underrepresented in law schools. The implication of this dilemma expands to the legal field, society, and the Black community.

Purpose Statement

The purpose of this qualitative study is to explore Black students’ perceptions of the barriers and challenges associated with the law school admissions process that they have encountered and the strategies they have used to overcome those barriers and challenges.

Utilizing the conceptual framework of Positive Deviance (PD), current first year, Black law students will share their understanding of perceived barriers as analyzed through the critical race theory (CRT) theoretical lens.

Conceptual Framework: Positive Deviance (PD)

Oftentimes, we create solutions to our problems without fully understanding how; that is referred to as positive Deviance. The Positive Deviance Collaborative defines positive deviance as:

Positive Deviance is based on the observation that in every community there are certain individuals or groups whose uncommon behaviors and strategies enable them to find better solutions to problems than their peers, while having access to the same resources and facing similar or worse challenges. The Positive Deviance approach is an asset-based, problem-solving, and community-driven approach that enables the community to discover these successful behaviors and strategies and develop a plan of action to promote their adoption by all concerned.

Pascale et al. (2010) states that the positive deviance approach is appropriate and could have successful applications “over most alternatives when addressing problems that... (1) are enmeshed in a complex social system, (2) require social and behavior change, and (3) entail solutions that are rife with unforeseeable or unintended consequences” (p. 10). With these three criteria as it relates to low enrollment of Black law students, the Positive Deviance framework lends itself to this qualitative study.

Theoretical Framework: Critical Race Theory

While Positive Deviance frames this study as it relates to the participants, Critical Race Theory serves as the theoretical framework used to analyze the problem of low Black enrollment

in law schools. Critical Race Theory originated from legal scholarship to analyze race from a legal perspective (Iverson, 2007; Roithmayr, 1999). The Critical Race Theory lens encourages society to acknowledge past injustices towards Blacks to provide equal access to education for students of color moving forward (Ladson-Billings, 1999). Harper, Patton, and Wooden (2009) concluded that Critical Race Theory is essential to understanding how “White hegemony, meritocracy, and racism informed the higher education practices and policies that negatively affect Black students.” Thus, Critical Race Theory serves a vital role in understanding the disparities within Black law school enrollment. More so, it highlights the practices and policies in legal education that affect Black students throughout the educational pipeline. The problem of low Black law school enrollment is an occurrence where Black students must overcome numerous barriers as they encounter any injustices within the educational pipeline and thereafter. In order to regress these injustices, it is important to call attention to the practices that are embedded in the system of law school admittance.

Significance of the Study

During the law school admissions process, many Black applicants encounter disparate treatment. Not only are these students expected to compete with the majority, but they are also expected to do so with a limited number of resources. The problem of low African American enrollment extends into the legal field, demonstrated by the fact that in 2010 only 5% of licensed lawyers were Black and 88% were White (ABA, 2016a). As the Black population in the United States continues to grow, the disparity is becoming even larger, as both the current number of Black applicants and graduates are insufficient to address the problem or close the gap (ABA, 2006).

Based on current research and further research, the significance of this qualitative study was to understand the perceptions of Black law students based on their experiences of navigating the admissions process and to determine what positive deviants allowed them to be successful in the pursuit of their legal education. With this area of focus in mind and the possibility of unveiling the positive deviants associated with black students who were successful in being admitted to law school, disparately treated students will be able to pursue their legal career with better support.

Research Questions

This qualitative methods study consisted of in-depth interviews, where first year Black law students are interviewed to examine the experiences of Black students in gaining access to legal education and navigating the law schools admissions process. Using the Conceptual Framework, Positive Deviance (PD), and the Theoretical Framework, Critical Race Theory; the following research questions helped address African American students' experiences:

1. What are Black law students' perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, affordability, and the culture of the legal profession?
2. What resources, skills and strategies have Black law students deployed to overcome these barriers?

The in-depth interviews provided information regarding Black law school students' unique perspectives and experiences of the admissions process and its requirements. This study has the potential to provide law school administrators with valuable information to determine what best practices can be implemented to ensure that law schools yield rates for Black students increases.

Definition of Terms

1. ***African American/Black***: a person having origins in any of the Black racial groups of Africa (US Census Bureau, 2020). These two terms are used interchangeably through this research.
2. ***American Bar Association (ABA)***: the largest voluntary association of lawyers in the world. Along with other functions, the ABA accredits law schools (American Bar Association, n.d.)
3. ***Council of Legal Education Opportunity (CLEO)***: an organization founded in 1968 through the ABA to assist minority and low-income students in gaining legal education opportunities. The organization provides a variety of programming and support, including a summer institute to prepare minority and low-income students for law school (Schwartz, 2014).
4. ***Critical Race Theory (CRT)***: through CRT, critical race theorists seek to eliminate the mystery of racial oppression and racism by acknowledging racial power and privilege are at the foundation of American society (Dumas & Ross, 2016). CRT was used as a theoretical framework for this study.
5. ***Historically Black Colleges and Universities (HBCUs)***: a school that was established prior to 1964, whose principal mission was, and is, the education of black Americans, and that is accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education (Higher Education Act of 1965, 20 U.S. Code § 1061).
6. ***Law School Admission Council (LSAC)***: an organization with a mission of advancing law and justice by encouraging diverse and talented individuals to study law and by

supporting their enrollment and learning journeys from pre-law through practice (Law School Admission Council, n.d.-a).

7. ***Law School Admissions Test (LSAT)***: an integral part of law school admission in the United States. It is a two-part test that evaluates the skills necessary for success in the first year of law school (Law School Admission Council, n.d.-f).
8. ***Minority/Minoritized***: group of people who are different from the larger group in a country, area, etc., in some way such as race (Merriam-Webster, 2019)
9. ***National Bar Association***: the nation's oldest and largest national network of predominantly African American attorneys and judges. It represents the interests of approximately 65,000 lawyers, judges, law professors and law students. (
10. ***Positive Deviance (PD)***: a conceptual framework that examines successful outliers of the status quo to understand the behaviors, characteristics, or strategies that made them deviate from the norm to be successful (Pascale et al., 2010).
11. ***Predominantly White Institutions (PWIs)***: institutions of higher learning in which Whites account for 50% or greater of the student enrollment (Lomotey, K., 2010).
12. ***Undergraduate Grade Point Average (UGPA)***: LSAC-member schools have selected a common set of numerical values to represent the various grading systems used by U.S. institutions (Law School Admission Council, n.d.).

Limitations and Delimitations

The main limitation of this research was the generalizability and transferability of the results to all 199 ABA accredited law schools in the United States. This research was conducted at law schools in the South which includes: (1) Alabama, (2) Florida, (3) Georgia, (4) Louisiana, (5) Mississippi, and (6) Tennessee. More so, this study included public predominantly White

institutions (PWI) and historically Black colleges and universities (HBCUs). The reader should keep in mind that admissions processes may vary depending on the institution type.

CRT generally considers and advocates for critical analysis of all races and the intersectionality of race with other protected groups, such as social class or gender, but this study focused solely on the African American race, and does not consider intersectionality (Dumas & Ross, 2016). The broad nature of CRT was also a limitation of this study given that there are numerous race theories specific to African Americans that are not addressed in this study. The 2021-2022 law school admissions cycle was an anomaly given the pandemic. Due to the pandemic, there was a spike in applications, which resulted in a more competitive admissions process. As a result, Black applicants now have to have higher LSAT scores and GPAs to compete with the influx of applications from White students.

Another limitation of this research was the scope or breadth of participants. Black enrollment at PWI law school is lower than HBCU law schools. More so, this research only explored the qualitative experience/perspective of a select number of African American students at schools in the southern region of the United States. This research is not a true representation of all African American law school students, as perspectives will vary depending on institution type and ranking, residency status of participants, familial history within higher education and law school, and other individualized differences amongst the participants. This study was limited to individuals who identify as Black/African American.

Summary

The lack of Black representation within the legal profession is directly correlated to the low enrollment of African Americans/Blacks at law schools. In the context of this study, the focus was the perceptions of possible disparate treatment in the law school admissions process at

law schools located in the southern region of the United States. This study hoped to understand the perceptions of Black law students and to determine what strategies they deployed to overcome the barriers within the law school admissions process.

Organization of the Study

This study on the perceptions of Black law students regarding the barriers of access to law schools is organized into five chapters. This first chapter provided an overview of low Black enrollment at ABA accredited law schools in the Southern region of the United States and provided an explanation of Positive Deviance and Critical Race theory, which are the frameworks used throughout this research. Chapter Two provides a literature review of topics related to this study, specifically the history of affirmative action practices and the barriers that Black students encounter when accessing law schools. Chapter Three outlines the overview of methodology used for the study. Next, Chapter Four provides an analysis of the qualitative data collected. Finally, Chapter Five includes a discussion of the findings, any possible implications, and recommendations for practice.

CHAPTER 2

REVIEW OF LITERATURE

This literature review explores educational access for Black students at the undergraduate and graduate levels. Also, this literature review looks at the barriers of access to law school for Black students through the framework of Critical Race Theory and Positive Deviance. Some of the research will highlight the similarities between educational access issues within undergraduate degree programs, graduate schools, and professional schools. Given that educational access for Black students has a complicated history, review of the literature also explores legal cases and laws related to the equity initiatives in higher education.

Critical Race Theory

For this study, one must understand the disparity of Black students in legal education. One way of doing so is through Critical Race Theory and the associated theories that are aimed at providing an understanding of the implications of the United States' complex racial history, specifically in the education system. Critical Race Theory originated as a framework in the 1970s to address the racial inequities within the legal profession (Iverson, 2007; Roithmayr, 1999). It was soon expanded in the 1980s by Derrick Bell and others claiming “that race and racial inequality suffused American law and society, that structural racial subordination remained endemic, and that both liberal and critical legal theories marginalized the voices of racial minorities” (Harvard Law School, n.d.). More than 40 years later, Iverson (2007) used Critical Race Theory to reveal education as a means of increasing diversity in the classrooms to improve experiential learning and to promote educational equity. Critical Race Theory analyzes the role

of race and racism in perpetuating social disparities between dominant and marginalized racial groups (DeCuir & Dixson; Ladson-Billings; Ladson-Billings & Tate, 1995). The primary purpose of Critical Race Theory is to reveal what is taken for granted when analyzing race and privilege, as well as the profound patterns of exclusion that exist in U.S. society (Parker & Villalpando, 2007). The Critical Race Theory framework is comprised of five tenets: (1) counter-storytelling, (2) the permanence of racism, (3) Whiteness as property, (4) interest conversion, and (5) the critique of liberalism (DeCuir & Dixson, 2004; Ladson-Billings, 1998; McCoy, 2006). Of these five tenets, counter-storytelling and the permanence of racism are most relevant to this study.

The use of counter-storytelling in analyzing higher education's climate provides Black students a voice to tell their narratives involving marginalized experiences (Delgado Bernal & Villalpando, 2002). Higher education institutions often aim to increase diversity by increasing the number of Black students; however, if the institution does not make the necessary changes to make the campus climate inclusive, the institution will confront the challenge of trying to maintain diversity. In many cases, counter-stories provide context to the permanence of racism. The permanence of racism suggests that racism controls the political, social, and economic realms of U.S. society. In the context of CRT, racism is seen as an inherent part of American culture that continues to provide a privilege to White individuals over Black individuals in most areas of life, including legal education (DeCuir & Dixson, 2004; Delgado, 1995; Ladson-Billings, 1998; Ladson-Billings & Tate, 1995). When higher education institutions ignore the existence of systematic racism, diversity action plans become ineffective (Iverson, 2007). With this in mind, Critical Race Theory plays an important role when higher education institutions and more specifically law schools, work toward becoming more diverse and inclusive in regard to its

student body. Analyzing and applying the same Critical Race Theory principles to legal education, there is an overwhelming need for better representation of Black students in the law school setting; ultimately, this increase in representation within the field of legal education will lead to an increase in representation in the legal profession (Iverson, 2007).

Positive Deviance

Positive Deviance is a concept based on the observation that in every community or organization, there are a small number of individuals whose unfamiliar but successful strategies have enabled them to find better solutions to problems than others in their same community who face the same challenges and barriers (Positive Deviance Collaborative, n.d.). Using the Positive Deviance approach, “it enables a community or organization to amplify uncommon behaviors or strategies discovered by community members among the least likely to succeed (positive deviants), develop some activities or initiatives based on these findings and measure outcomes” (Positive Deviance Collaborative, n.d.). In short, the Positive Deviance approach brings about sustainable behavioral change by identifying solutions already existing in the system in hopes of alleviating challenges and barriers (Positive Deviance Collaborative, n.d.). In the lens of Positive Deviance, practitioners, like law school administrators, see the barriers that Black law students are confronted with; more so, practitioners analyze those Black students that are successful in matriculating through the law school admissions process to gain an understanding of how those students overcame any possible barriers. By analyzing the barriers of access to law schools for Black students through Positive Deviance, the goal is to determine how to address the barriers in the law admissions process and eventually close the gap in Black law school enrollment. Such an analysis begin with an understanding of the various ways in which racism historically and contemporarily is apparent in America (Roberts, 2015).

Law School Enrollment

Tatum et al. (2008) revealed that there are fewer racially/ethnically diverse students in legal education than in any other professional degree program. Through Kidder's (2003) review of the history of the disparity of Black student enrollment, he highlights the struggle for access to and equity in legal education; More so, he notes that there has been a large gap of law school enrollment for racially/ethnically diverse students compared to White students even after the implementation of affirmative action practices. The low number of enrolled Black students at ABA accredited law schools is not a new phenomenon, and even though overall law school enrollment is increasing, there remains a major gap in Black law student enrollment. After several years of declining law school enrollment, the number of students enrolled at law schools accredited by the ABA increased in 2018, 2019 and 2020; however, this increase enrollment is not correlated to Black students (ABA, 2021). There have been many discussions surrounding the quantification of minority enrollment goals. Across the profession, heads of admissions attempt to quantify their minority goals; however, *Grutter* address the legality of doing such. In *Grutter*, the University of Michigan Law School claimed it took the steps it did in order to achieve a "critical mass" of underrepresented minority students. In response, Justice O'Connor described critically mass as meaningful numbers or meaningful representation; however, Justice O'Connor did not ascribe a particular number, percentage, or range (*Grutter v. Bollinger*, 2003). As a means to avoid the illegal quantification of minority enrollment goals, law schools avoid the use of quotas.

Historical Analysis

To provide context to the Black students in the education pipeline, a historical analysis of cases decided prior to *Brown v. Board Education* established "separate-but-equal" education was

not equal at all. In *Brown v. Board Education*, Black students had been denied admittance to certain public schools based on laws allowing public education to be segregated by race. The question presented to the court was whether segregation of public education based solely on race violate the Equal Protection Clause of the Fourteenth Amendment. The Supreme Court held that “separate-but-equal educational facilities for racial minorities is inherently unequal, violating the Equal Protection Clause of the Fourteenth Amendment” (*Brown v. Board Education*, 347 US 483, 1954). Prior to *Brown*, the Supreme Court decided four cases dealing with higher education desegregation at the graduate or professional school level. Of those four cases, three involved law schools. Inequality was found in each case because there were specific benefits enjoyed by White students that were denied to Black students with the same educational qualifications (Connell, M. A., 2010).

Missouri ex rel. Gaines. In 1935, Lloyd Gaines graduated from a public university specifically for Black students. Given that Lincoln University did not have a law school, the Gaines applied to the University of Missouri Law School. He was refused admission and told that admitting him would be contrary to Missouri’s state constitution. In response, Gaines argued that this denial of admission violated his Fourteenth Amendment rights. The United States Supreme Court ruled that “the denial of access to legal education was unlawful discrimination. The Court also held that the state’s intent to eventually create a law school at Lincoln University was not enough to absolve the responsibility to provide a legal education in this case. The Court held that Missouri failed in its constitutional duty to provide equal protection under the law by failing to provide equal access to public education within the state” (*Missouri ex rel. Gaines v. Canada*, 305 US 337, 1938).

Sipuel v. Board of Regents. In 1946, Ada Sipuel was denied admission to the University of Oklahoma Law school on the basis of her race. Sipuel sued on the basis that the state of Oklahoma did not provide a comparable facility for African American students under the doctrine of “separate but equal.” The United States Supreme court ruled that Oklahoma provide instruction for Black students that was equal to the same instruction that Whites receive (*Sipuel v. Board of Regents*, 332 U.S. 631, 1948). In response, the state of Oklahoma created the Langston University School of Law; however, Sipuel sued once again asserting that the accommodations were not equal to those of White students. It was until 1949, that Sipuel was able to gain admission to the University of Oklahoma Law School.

Sweatt v. Painter. In 1946, Heman Sweatt, a Black man, applied for admission to the University of Texas Law School. State law restricted access to the university to Whites. As a result, Sweatt's application was automatically rejected because of his race. When Sweatt asked the state courts to order his admission, the university attempted to provide separate-but-equal facilities for Black law students. The issue before the Court was whether the Texas admissions scheme violate the Equal Protection Clause of the Fourteenth Amendment. In a unanimous decision, the United States Supreme Court held that “the Equal Protection Clause required that Sweatt be admitted to the university. The Court found that the "law school for Negroes," which was to have opened in 1947, would have been grossly unequal to the University of Texas Law School” (*Sweatt v. Painter*, 339 US 629, 1950).

Affirmative Action

With the initial emphasis on education and employment, affirmative action’s primary focus is to improve opportunities for groups of people who have been historically excluded. This concept changed in the 20th century when institutions adopted policies in an effort to expand

access to all and prioritize diversity. These policies allow officials to consider race and ethnicity as part of a holistic evaluation of an admission's application. Cornell's Legal Information Institute defines affirmative action as "a set of procedures designed to eliminate unlawful discrimination among applicants, remedy the results of such prior discrimination, and prevent such discrimination in the future" ("Affirmative Action"). It is well supported that affirmative action is one of the best tools implemented by higher education institutions as a means to promote diversity and allow underrepresented individuals to earn a quality degree. In 1976, White students made up over 80% of colleges students in the United States; however, by 2016, that percentage had dropped to 57% (Writers, 2021). When California ended affirmative action in higher education admissions, there was a 23% drop in enrollment amongst minority students (Writers, 2021).

Executive Order 10925. Affirmative action's initial start was in March of 1961 when President John F. Kennedy first used the term to address racial disparities. As a result, he signed Executive Order 10925 ordering government contractors to "take affirmative action" to realize the national goal of "nondiscrimination" (Torres, G.B). President Kennedy recognized that minorities were restricted by centuries-old economic, political, and educational traditions. The passing of the executive order was the first proactive effort to even the playing field for minorities. Some viewed President Kennedy's executive order as overreach, while others viewed it as necessary.

Beginning in the 1960s, higher education institutions and graduate programs began developing affirmative action policies to expand access to disadvantaged and underrepresented races and ethnicities. Evidence gathered by the Century Foundation suggests that racially integrated classrooms can reduce students' racial bias, improve satisfaction and intellectual self-

confidence, and enhance leadership skills; these benefits may translate to better economic outcomes and, among other payoffs, prepare students to work in a diverse global economy, increasing the productivity, effectiveness, and creativity of teams (Maxwell & Garcia, 2019). Affirmative action is intended to help to level the playing field by ensuring all students—regardless of wealth, privilege, or background—have a chance to benefit from the advantages of the higher education system. As a result, “low-income students and students of color increase their chances of emerging from poverty and stepping into the middle class” (Maxwell & Garcia, 2019).

Strict Scrutiny. The Supreme Court has determined that government actions that discriminate on the basis of race, national origin, religion, and alienage must pass this level of scrutiny to survive a challenge that the policy violates constitutional equal protection ((Legal Information Institute, n.d.). Due to the numerous court cases, there are three key constitutional concepts for affirmative action policies at public universities. The first concept is that there must be a compelling state interest meaning that “the policy must target an acceptable goal; the Supreme Court has ruled that student body diversity is a valid goal, whereas racial balancing to match the broader population is not a valid goal” (Doherty, 2018). The holding from *Regents of the University of California v. Bakke* (1978) asserted that:

Affirmative action programs that take race into account can continue to play a role in the college admissions process, since creating a diverse classroom environment is a compelling state interest under the Fourteenth Amendment. State universities go too far, however, when they set a certain quota for the number of minority students who enroll.

In conclusion, race can be used as a “plus” factor in regard to admissions; however, race cannot be the “predominant” factor. Universities cannot establish quotas for members of certain racial/ethnic groups.

The second concept of strict scrutiny that is important for understanding is that it must be narrowly tailored meaning that “the policy must be constructed so that the primary goal is substantially achieved, while also minimizing harm to those who do not benefit (Doherty, 2018). The Court held in *Fisher v. University of Texas* (2016) that:

The University of Texas’ use of race as a factor in the holistic review used to fill the spots remaining after the Top Ten Percent Plan was narrowly tailored to serve a compelling state interest. Previous precedent had established that educational diversity is a compelling interest as long as it is expressed as a concrete and precise goal that is neither a quota of minority students nor an amorphous idea of diversity. In this case, the Court determined that the University of Texas sufficiently expressed a series of concrete goals along with a reasoned explanation for its decision to pursue these goals along with a thoughtful consideration of why previous attempts to achieve the goals had not been successful. The University of Texas’ plan is also narrowly tailored to serve this compelling interest because there are no other available and workable alternatives for doing so.

The third concept of strict scrutiny that is important for understanding is that there must be least restrictive means meaning “goals should be accomplished by whatever method least infringes on individual rights and liberties; if a race-blind system could achieve the same results, school should opt for that approach instead” (Doherty, 2018). This concept is evident in *Fisher v. University of Texas* (2016) when the Court asserted that there were “no other available and

workable alternatives for doing so” in order to increase minority enrollment at the University of Texas.

Regents of the University of California v. Bakke. The legal framework shaping modern higher education diversity efforts begins with the Bakke (*Regents of the University of California v. Bakke*, 1978). In that case, a thirty-five-year-old white man by the name Allan Bakke had been denied admission to the University of California at Davis’s (UC Davis) medical school for a second time. In each of UC Davis’s entering classes, sixteen out of the one-hundred seats were reserved for members of a minority group and/or individuals who identified as economically and/or educationally disadvantaged. Mr. Bakke contended that he was excluded from admission into UC Davis solely on the basis of race. The question decided by the Court was whether UC Davis violated the 14th Amendment’s equal protection clause and the Civil Rights Act of 1964 by practicing an affirmative action policy that resulted in Mr. Bakke’s rejection into medical school. The result of Bakke “allowed for affirmative action to be used only to promote diversity and only if race was one factor considered among (Blume & Long, 2014).” In short, race could be used as a ‘plus’ or additional factor, but not the deciding factor in admissions.

Ayers v. Fordice. Based on the Equal Protection Clause of the Fourteenth Amendment and on Title VI of the Civil Rights Act of 1964, a parent of a student attending a public historically Black college and university (HBCU) in Mississippi filed suit in federal district court claiming that the State of Mississippi had not provided adequate resources to its historically black institutions of higher education (*Ayers v. Fordice*, 1992). Before the desegregation of the University of Mississippi in 1962 by James Meredith, Black students were only allowed to enroll at HBCUs rather than predominantly White institutions. More so, it was not until 1967 that the University of Mississippi School of Law had its first’s Black graduate, Rueben V. Anderson

(University of Mississippi School of Law, 2019). In 1987, the federal district court ruled that by adopting race-neutral policies in admissions and other areas, Mississippi had satisfied its duty to correct the de jure segregated state university system. This decision was upheld by the 5th Circuit Court of Appeals in 1990. However, in 1992, the US Supreme Court found that both the district and circuit court had applied an incorrect legal standard. The Supreme Court ruled:

A state's duty is not discharged until it eradicates policies and practices traceable to its prior de jure dual system that continues to foster segregation. Race-neutral admissions are not a sufficient corrective to constitutional violations of a dual system. Different admissions criteria, and different missions for university system components, may have racially discriminatory effects perpetuating the old system. The Court did not declare the present system unconstitutional, only that Mississippi had not done enough to eliminate segregation (*United States v. Fordice*, 1992).

In 1995, the district court found remnants of segregation in Mississippi's higher education system. After nearly three decades after the lawsuit's inception, a settlement was entered in the amount of \$503 million to be awarded to Mississippi's three public HBCUs over the course of 17 years (*Ayers v. Fordice*, 1995). There is no debate that the Ayers settlement helped Black colleges survive for another generation; however, now, with funding scheduled to end in 2022, and those colleges still educating a disproportionate percentage of Black students, a new generation of advocates will have figure out what is the next step to address de jure segregation (Harris, 2018).

Hopwood v. Texas. The next major case and one that impacted Texas, Mississippi, and Louisiana is *Hopwood v. Texas*. In 1992, a white female by the name of Cheryl Hopwood and three other white individuals were rejected from the University of Texas School of Law. The

plaintiffs challenged the school's admissions policy on equal protection grounds arguing that their LSAT scores and GPAs were better than those of the majority of the minorities admitted. The U.S. District Court for the Western District of Texas found in favor of the University of Texas School of Law. U.S. District Judge Sam Sparks wrote that "until society sufficiently overcomes the effects of its lengthy history of pervasive racism, affirmative action is a necessity" (*Hopwood v. Texas*, 78 F.3d 932, 1996). However, the Fifth Circuit Court of Appeals held that the University of Texas School of Law "...may not use race as a factor in deciding which applicants to admit in order to achieve a diverse student body, to combat the perceived effects of a hostile environment at the law school, to alleviate the law school's poor reputation in the minority community, or to eliminate any present effects of past discrimination by actors other than the law school" (*Id.*) The university appealed the decision to the United States Supreme Court, which declined to review the case. The Fifth Circuit Court of Appeals' decision became law in Louisiana, Mississippi, and Texas – the states over which the appeals court has jurisdiction; however, this case was later overturned in 2003 by *Grutter v. Bollinger*.

Gratz v. Bollinger. Following *Hopwood*, the University of Michigan's affirmative action policy was challenged in *Gratz v. Bollinger*. The University of Michigan's Office of Undergraduate Admissions considered a number of factors in its evaluative process, including race. In doing so, the University admitted almost every qualified applicant from groups determined to be underrepresented minorities. Starting in 1998, the University of Michigan used a point system in which students were awarded an additional 20 points for being a member of an underrepresented minority. A year later in 1999, the University established an Admissions Review Committee to provide an additional level of consideration. Before the University of Michigan's 1999 revised affirmative action policy, Jennifer Gratz and Patrick Hamacher, both of

whom are White, applied for admission to the University of Michigan' in 1995 and were denied admission. They argued that the admission procedure discriminated against certain racial and ethnic groups in violation of the Equal Protection Clause of the Fourteenth Amendment and Title VI of the Civil Rights Act of 1964, similar to *Regents of the University of California v. Bakke* in 1978. The district court held that the admission policies were problematic because they amounted to "holding seats" for certain minority groups. In an appeal to the U.S. Court of Appeals for the Sixth Circuit, the Court upheld the University's admission policies in that case. In 2003, the United States Supreme Court held "that the University's policies were not sufficiently narrowly tailored to meet the strict scrutiny standard. Because the policy did not provide individual consideration, but rather resulted in the admission of nearly every applicant of underrepresented minority status, it was not narrowly tailored in the manner required by previous jurisprudence on the issue."

Grutter v. Bollinger. In the same year that the United States Supreme Court decided *Gratz v. Bollinger* (*Gratz v. Bollinger*, 539 US 244 (2003)), the Supreme Court also decided *Grutter v. Bollinger*. In 1997, Barbara Grutter, a white resident of Michigan, applied for admission to the University of Michigan Law School. Grutter boasted a 3.8 undergraduate GPA and an LSAT score of 161; however, Grutter was denied admission. The Law School justified its affirmative action policy in using race as a factor in making admissions' decisions by stating "compelling interest in achieving diversity among its student body" (*Grutter v. Bollinger*, 539 US 306, 2003). The District Court concluded that the Law School's stated interest in achieving diversity in the student body was not a compelling one. In a 5-4 opinion delivered by the United States Supreme Court, the Court held that "the Equal Protection Clause does not prohibit the Law School's narrowly tailored use of race in admissions decisions to further a compelling

interest in obtaining the educational benefits that flow from a diverse student body” (*Grutter v. Bollinger*, 539 US 306, 2003).

Fisher v. University of Texas. More recently in 2013 and 2016, the affirmative action policy of the University of Texas was challenged in court in the case of *Fisher v. University of Texas*. In 1997, the Texas legislature enacted a law requiring the University of Texas to admit all high school seniors who ranked in the top ten percent of their high school classes. The University of Texas adhered to the law but decided to modify its race-neutral admissions policy. For the remainder of the in-state freshman class, the university would consider race as a factor in admission. In 2008, a Caucasian female by the name Abigail Fisher applied for undergraduate admission to the University of Texas. Since Fisher was not in the top 10 percent of her high school class, she competed for the remaining admissions’ spaces. Fisher filed suit and asserted the University violated the equal protection clause of the Fourteenth Amendment. The university argued that its use of race was a narrowly tailored means of pursuing greater diversity. Both the district court and the United States Court of Appeals for the Fifth Circuit decided in favor of the University of Texas. Fisher appealed the appellate court's decision to the United States Supreme Court. The Court heard the case twice, sending it back to lower courts the first time; then in 2016, the Court issued a final opinion. In a 7-1 opinion, the Supreme Court upheld the University of Texas’ admissions process (*Fisher v. University of Texas*, 570 US 297, 2013).

Even though affirmative action started in 1961, it is still an issue for higher education institutions and specifically law schools. College enrollment and retention rates have risen significantly over the past four decades; however, students of color are more underrepresented at selective universities today than before. In fact, “a black student enrollment disparity exists at 45 of the 50 flagship state universities, meaning that the percentage of undergraduates who are

black is lower than the percentage of high school graduates in that state who are black...”

(Maxwell & Garcia, 2019).

Diversity at Law Schools

Ware (1976) stated that the journey of Blacks in the legal profession began in 1844 when three Blacks became lawyers: John Mercer Langston, Robert Morris, and Garrison Draper. In 1869, Howard University opened a law department during the time of the shift from legal training through apprenticeships to what is known as formal law schools (The Journal of Blacks in Higher Education, 2014). “In Black Students' Perceptions of Challenges in Pursuing a Law Degree: An Interpretation through Marronage,” Jones seeks “to understand the problem of low Black student enrollment at one American Bar Association accredited law school” (Jones, 2017, p. 8). The purpose of Jones' study “was to give meaning to current African American students’ perceptions of barriers to accessing and attending law school” (Jones, 2017, p. 11). To address the problem, Jones applies positive deviance as the conceptual framework and critical race theory as the theoretical framework.

While there have been increasing numbers of Black students at law schools because of affirmative action policies, “legal education continues to focus on white males as the primary recipients of legal knowledge and classroom attention. This often leaves students of color feeling... [like] their race negatively affects how they are treated by professors in the classroom. Law students of color have higher attrition rates and lower academic outcomes than whites, as many disengage from classrooms focused primarily on white students” (Daye et al., 2010, p. 73-74). Law school classes have become gradually more diverse in recent years. In 2011, 25% of law students were minorities. In 2020, nearly one-third of all students pursuing a JD degree (32%) were Black students (ABA, 2021). Similarly, more than 40 years ago, in 1978, Black

students represented just 9% of the first-year population. In 2020, 61% of first-year law students were white, 13% Hispanic, 8% Black, 7% Asian, 4% multiracial and 6% were classified as race unknown or other (ABA, 2021).

Barriers of Access to Law School for Black Students

As more and more states continue to phase out affirmative action policies that were intended to increase minority representation, law schools are finding themselves in a predicament of how to increase its minority enrollment (Reynoso & Amron, 2002). However, affirmative action bans are not the only barriers that prevent or challenge Black enrollment at law schools. Research has shown issues with the use of the Law School Admissions Test (LSAT) in admissions, affordability, law school culture, and problems with the legal studies pipeline as some of the causes for low enrollment of Black students (Ayres & Brooks, 2005; Tatum et al., 2008).

The Pipeline. Before Black students confront other barriers, they are faced with “leaks in the pipeline” (Tatum et al., 2008, p.80). The pipeline is a metaphor that is often used in education to convey the journey students partake from preschool to college (Olivas, 2005). Reynoso and Amron (2002) both asserted that one major barrier is the lack of access and adequate educational preparation for Black students. More so, the ABA acknowledged that low Black enrollment can be attributed to issues within the educational pipeline starting in K-12, with expulsions of Black students and low high school graduation rates (ABA, 2006; Tatum et al., 2008). Critical Race Theory allows educators to understand why Black students are not persisting through higher education, especially when Black children are being disproportionately disciplined in grade school and criminalized in America’s society (Dumas & Ross, 2016). Reynoso and Amron (2002).

The LSAT. In 1945, an admissions director at Columbia Law School wrote to the College Entrance Examination Board suggesting the creation of what is known as the LSAT to use in admission decisions with the goal of “promoting fairness in law school admission by opening the door to qualified candidates, regardless of their undergraduate institution or area of study” (Law School Admissions Council, n.d.-g). The LSAT is administered by the Law School Admissions Council (LSAC) to prospective law students and is designed to assess reading comprehension and logical reasoning. For law school admission experts and legal scholars, LSAT scores are the primary indicator of a student’s success in law school. Because of that success indicator, the primary factors in the admissions process are the undergraduate grade point averages (UGPAs) and Law School Admissions Test (LSAT) scores.

One of most evident barriers for Black students attending law school is the LSAT because they consistently score lower than White students on standardized tests beginning in elementary school and continuing through the pipeline until the LSAT (ABA, 2006; Austin, 2006; LSAC, 2012). The ABA’s (2006) Pipeline Resolution Report concluded that there is an overwhelming achievement gap associated with LSAT test scores between White and Black students as a major leak in the pipeline to law school. The Positive Deviance approach will provide insight as these students overcame the LSAT barrier.

Outside a prospective law student’s performance on the LSAT, the LSAT also poses some financial barriers to many students including Black Students (*The Truth About the LSAT Cost: What You Need to Know*, 2020). As a solution to the increasing costs, the LSAC offers fee waivers to students; however, the requirements and approval process can be intimidating. According to LSAC, “the fee waiver program is designed for law school candidates who are financially under-resourced, with the goal of increasing equity and access to legal education.

This program is part of our mission to reduce barriers for law school applicants” (Law School Admissions Council, n.d.-a).

The Availability of Law Schools. Unlike undergraduate and graduate programs, law schools are professional schools that are not widely available. When looking at the availability of law school, there are various types: predominantly white institutions (PWIs), historical black colleges and universities (HBCUs), public institutions, and private institutions. With most states only having 2 to 4 law schools and some not even having an HBCU law school, Black students only other option is to attend a PWI law school if they prefer to remain in that state (College Gazette, 2021). Within the following states located in the southern region of the continental US: (1) Alabama, (2) Florida, (3) Georgia, (4) Louisiana, (5) Mississippi, and (6) Tennessee, there are a total of 30 ABA accredited law schools. Of those 30 law schools, only 12 are public institutions and 2 are HBCUs (Law School Admission Council, 2021).

The Law School Culture. Looking at the low enrollment of Black students, it is also important to assess their experience once they are attending law school, as “law school profoundly affects students” (Hess, 2002, p. 76). Black applicants often reach out to current Black law students to get a better understanding of the racial climate at a law school when they are navigating the application process (Isaac, 1998; Pruitt-Logan, 2003). However, students are not the only one that contribute to an inclusive environment that Black applicants are looking for. Faculty members also play an important role in the educational experience for law students. According to studies, teaching and learning strategies like the Socratic method have a profound effect on students from different backgrounds because White men are more likely to provide answers or ask questions than Black students (Hess, 2002). More so, faculty members must be

aware that the law that Black students will be studying in the classroom may be the same law that have oppressed their race throughout the years (Evensen & Pratt, 2012).

Affordability Associated with Law School Acceptance

Up until recently, law schools were able to give scholarships to Black Students solely on race. However, recent court decisions makes it illegal to award scholarships based solely on race. Looking back at affirmative action cases, the issue was the impact of race in the admissions process. In 1997, Barbara Grutter, a white resident of Michigan, applied for admission to the University of Michigan Law School. Grutter boasted a 3.8 undergraduate GPA and an LSAT score of 161; however, Grutter was denied admission. The Law School justified its affirmative action policy in using race as a factor in making admissions' decisions by stating "compelling interest in achieving diversity among its student body." The District Court concluded that the Law School's stated interest in achieving diversity in the student body was not a compelling one. In a 5-4 opinion delivered by the United States Supreme Court, the Court held that "the Equal Protection Clause does not prohibit the Law School's narrowly tailored use of race in admissions decisions to further a compelling interest in obtaining the educational benefits that flow from a diverse student body" (*Grutter v. Bollinger*, 539 US 306, 2003).

Disappearing Without a Case—The Constitutionality of Race-Conscious Scholarships in Higher Education analyzes the constitutionality of two kinds of race-conscious scholarships: (1) "race-as-a-plus-factor" scholarships, where race is one of many factors considered in the allocation of benefits; and (2) race-exclusive scholarships, where eligibility is restricted on the basis of race" (Alexander, 2009). The author summarizes that there are three primary features to this inequality. First, in comparison with whites, Black students are far less likely to have access to college information and resources within their families or communities. Second, once in

college, the attrition rate for African Americans is significantly higher than for their white peers. Third, because students of color are far more likely to come from low-income families than their white peers, high tuition costs provide a disproportionate impediment to their access to higher education” (Alexander, 2009). Race-conscious scholarships seek to alleviate the disproportionate financial barrier experienced by Black Students.

Intervention

The disparity of Black enrollment has been a consistent issue since law schools were first established, but recently, many law schools recognized the disparity and now actively recruit Black applicants (ABA, 2005; Mort & Moskowitz, 1994). The disparity itself is not only limited to law schools; the legal community is aware of similar inequities and is implementing initiatives to increase Black enrollment.

Black Representation. Reynoso and Amron (2002) asserted law schools must employ Black faculty and staff and integrate diversity into the policies and practices of the law school to attract Black applicants. Law schools who are actively creating inclusive environments use it as a marketing strategy to attract even more Black applicants. More so, many law schools rely on their Black alumni and the law school’s Black Law Students Association to help them recruit more Black students (Mort & Moskowitz, 1994). Organizations like the National Bar Association and its affiliated chapters have implemented various initiatives to support Black students’ pursuit of a legal education. These initiatives include programs that aim to increase the number of diverse students applying to and being admitted to law schools by providing them with resources and knowledge about what it takes to become a lawyer (National Bar Association, n.d.).

LSAC Efforts. Recognizing a need to increase diversity within legal education and the profession, the Background Factors Committee was formed in 1950 by the Council to address the underrepresentation of disadvantages and diverse students. (Law School Admissions Council, n.d.-g). Under the scope of the Background Factors Committee, the Council funded workshops, published booklets and brochures, and sponsored recruitment fairs in addition to other efforts to broaden access to legal education. More so, the Committee also identified the need to work with HBCUs during this period. In 1968, the Council and other law-related organizations created the Council on Legal Education Opportunity (CLEO) to address the underrepresented communities in the legal profession (Law School Admissions Council, n.d.-g). As a result, the pipeline to the legal profession was opened to a stream of talented students from minority backgrounds. In 1989, LSAC created the LSAC Minority Fund to provide support o to programs that enhance legal education opportunities for students from diverse backgrounds (Law School Admissions Council, n.d.-g). In 2001, the LSAC Board of Trustees approved funding for the Prelaw Undergraduate Scholars Programs (PLUS). The program introduces college students from disadvantaged and underrepresented groups to the skills necessary for law school and help them build them skills while they are in college (Law School Admissions Council, n.d.-g). In 2004, LSAC collaborated with Street Law, Inc. to form DiscoverLaw.org as a way introduce diverse high school students to the legal profession and began conducting outreach campaigns on behalf of all law schools to encourage college students from underrepresented groups to consider legal careers and to improve their preparation for law school (Law School Admissions Council, n.d.-g).

Pipeline Programs. In recent years, there has been an effort to expose students and to prepare them to law school. One initiative is the creation of pipeline programs. The ABA

Council for Diversity in the Educational Pipeline and the Law School Admission Council (LSAC) developed law school pipeline programs in response to the critical need to increase diversity in the educational pipeline leading to the profession (Council for Diversity in the Educational Pipeline, n.d.). Pipeline programs are critical to help ensure that students already on the margins do not fall out of the pipeline. Since the inception of pipeline programs, many participating law schools have created version of similar programs over the summer to serve students with information and resources premised on aiding their successful matriculation into law school and the legal profession. These programs can also extend to students that are still in high school. Another initiative closely associated with pipeline programs are 3+3 accelerated law programs. Through an accelerated law program, also known as 3+3, students can be admitted into a fast-tracked bachelor and law degree program, trimming a full year off the time it would take to earn both degrees independently (Kuris, 2020). Through these joint degree programs, students are generally able to pursue both degrees in six years.

Gaps in Literature

Literature supports that affirmative action practices help promote diversity in the classroom and provide an enriching learning environment; however, the policies are still up for debate (Garces, 2012; Gurin et al., 2002). While the legal profession has implemented strategies to increase access for potential Black students, there remains a gap in the literature. Many of the implemented strategies and programs at the institutional level have not been assessed or empirically researched to determine how effective they are. Based on the literature, there are broad discussions relating to the barriers experienced by Black law applicants; however, there remains a gap in the literature when it comes to empirical evidence. The literature acknowledges the disparate treatment within legal education, but Critical Race Theory suggests, until the legal

profession acknowledges the status quo of underlying racism, there will continue to be low enrollment amongst Black law students. Another gap in the literature is that most research surrounding the barriers that Black law students encounter is done through quantitative studies rather than qualitative students. The qualitative research that has been done has been limited to areas that do not necessarily have large Black populations.

Summary

This literature review addressed the conceptual and theoretical frameworks, the history of affirmative action policies, and barriers to Black law student enrollment, and finally current interventions for the barriers. A commitment to increasing and ensuring diversity, equity, and inclusion is a concern for higher education because of “society increasingly recognizing an obligation to open educational opportunities to members of disadvantaged minorities (Baum, Kurose, & McPherson, 2013).” With this in mind, the economic aspect of diversity “implies that all potential students with eligible qualifications and aptitudes should have access to higher education, irrespective of their financial capacity (Wang & Shulruf, 2013).” Even though use of racial consideration as a factor in law school admissions has been removed in some states and severely restricted by legal proceedings, there are some options available to public institutions as a means of increasing diversity within the student body of their law school. Using the lens of PD, it is important to qualitatively understand current African American law students’ characteristics and behaviors that allowed them to persist through the educational pipeline and experience movement in the flight towards freedom through access to the legal profession, and also learn their perceptions of the barriers for African Americans entering legal education (ABA, 2006; Pascale et al., 2010).

Chapter 3

METHODOLOGY

Based on information analyzed from enrollment reports provided by LSAC and the ABA, Black students are a small percentage of graduate and professional schools' student populations. The literature effectively summarizes barriers to enrollment for Black law students; however, it does not address Black law students' perceptions of the law school admissions process and how those students overcame those barriers to matriculate into law schools (Arewa et al., 2014; Tatum et al., 2008). This study will explore the perceptions that Black students in law school have of the barriers they have encountered. The views and perceptions that Black students hold regarding access are better understood by referencing them within Positive Deviance and the Critical Race Theory. Solórzano and Yosso (2002) contend that "critical race methodology in education offers a way to understand the experiences of people of color along the educational pipeline" (p.36).

This study includes individual interviews of first year law students at four ABA accredited law schools located in the South. The purpose of this study was to gain a more comprehensive understanding of barriers of access to law school amongst Black students and how those students were successful in overcoming those barriers to access law school. The primary research questions of the qualitative study were:

3. What are Black law students' perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, affordability, and the culture of the legal profession?

4. What resources, skills and strategies have Black law students deployed to overcome these barriers?

This methodology chapter also includes a discussion on the role of the researcher, the participants, instrumentation and procedure, and limitations and delimitations. The data analysis plan is also discussed using a coding method to develop themes. The conclusion will summarize the steps that were taken to employ the study.

Qualitative Methods of Study

Qualitative research is an umbrella concept covering forms of inquiry like this study that help researchers understand and explain the meaning of a phenomena (Merriam, p. 5, 1998). In this kind of study, researchers are interested in understanding the meaning people have constructed, that is how they make sense of their world and the experiences they have in world (Merriam, p. 6, 1998). In short, qualitative research seeks to reveal how all the parts work together to form a whole. According to Creswell, a qualitative study is one in which the researcher makes knowledge claims based primarily on constructivist perspectives using a strategy of inquiry with the primary intent of developing themes from the data (Creswell, 2009). This type of research allows the study to be more comprehensive and richer in description. A phenomenological approach to qualitative research focuses on the essence of a lived experience that can be observed by people who have different viewpoints (Flood, 2010). One of the main objectives of phenomenology is to capture, as closely as possible, the way a phenomenon was lived by people who participated in the phenomenon (Creswell & Poth, 2018; Giorgi & Giorgi, 2003). The description of this phenomenological study consists of “what” the individuals experienced and “how” they experienced it (Moustakas, 1994). Experiences may include perception, thought, memory, imagination, and emotion or feeling. Research regarding the

barriers of access to law school for Black students through the lens of Positive Deviance and Critical Race Theory is not extensive, so a qualitative design will allow for a deep exploration of this area in hopes of filling in the literature gaps around the topic.

Role of the Researcher

In a qualitative study, the researcher is more involved with the participants (Creswell, 2009). Here, appropriate permission from the dissertation committee and The University of Mississippi's Institutional Review Board (IRB) were obtained and the appropriate forms will be completed to ensure the protection of the participants. As the role of the researcher, my primary responsibilities were (1) to inform subjects of all risks and benefits of research; (2) to provide subjects with information necessary to decide whether they will participate in a study, and to obtain and document voluntary consent, provided that the IRB may waive the requirement of documentation; and (3) to inform subjects of conditions which may affect risks, benefits, or willingness to continue in a study (Institutional Review Board, n.d.-b). It is important to note that I included participants from my own institution in the study. Steps were taken to ensure the anonymity of all students participating in the study. During this study, I served as the Recruitment Coordinator for The University of Mississippi School of Law which provided me the opportunity to be in close contact with law students. Prior to serving in the official capacity as the Recruiter for The University of Mississippi School of Law, I recruited students in the capacity as a member of the Dean's Leadership Council, a group of 60 diverse students chosen by the law school administration to represent the law school and to assist with law school events and tours to prospective law students, and as an alumnus. In these roles, I had engaging conversations with both Black and non-Black law admissions professionals, specifically, the

barriers of access to law schools for Black students is an ongoing conversation at recruiting events.

For this qualitative study, numerous safeguards were used to ensure that biases were eliminated. Law students from four institutions, including my own, were invited to participate. No individual or student group was specially solicited to skew the results. All student contact were conducted in the same manner. Emails describing the study, requesting participation, and reminding those who have not participated to do so, were sent at the beginning of the spring semester. A first year, Black law student from each of the participating institutions were interviewed. In order to ensure confidentiality, no identifying information is shared in this study. After the individual interviews, all students had the opportunity to review their respective interview transcript to ensure it accurately reflects what he or she wanted to express.

Participants.

For research, participant sampling decisions are often influenced by access to participants and participant relationships to the researcher (Maxwell, 2013). Purposive sampling narrowed the selection of participants to those who attend the selected law school and self-identify as Black (Merriam, 2009). To solicit participants from other institutions, I gained permission from the appropriate administrators and worked with them to conduct the study in the most undistruptive manner for that institution. Contacts at the four selected law school assisted in connecting me with first year, Black law students. The contacts include admissions staff, student affairs staff, and DEI staff. Each year, all ABA accredited law schools are required to disclose consumer information regarding intimate details of the many crucial aspects of the law school admission process. Based on 509 Required Disclosures provided to the ABA in 2020, Table 3.1 provides a summary of the Black enrollment for the participating law schools within this study.

Table 3.1

Black Enrollment at Selected Law Schools

Law Schools	Year 1	Year 2	Year 3	Year 4	All Years Total
Florida A&M University	57*	86*	69*	9*	221*
University of Memphis	22	23	24	0	69
University of Mississippi	22	31	23	0	76
Southern University	231*	127*	116*	22*	496*

* *Indicates these law school numbers include part time students.*
 (Section of Legal Education - ABA Required Disclosures, 2020)

The intent for this study is to develop an in-depth exploration of the central phenomenon and transfer outcomes to those students attending law schools that have similar characteristics to the institutions being studied. However, results could certainly extend beyond Black students at similarly situated law schools.

Barriers and Challenges Associated with the Study

During this qualitative study, challenges did arise. These challenges were not anticipated; however, like the positive deviants in this study, the researcher was able to overcome these challenges. Originally, the researcher had envisioned the study to include eight law schools with one interview from each school; however, the researcher only had four law schools to participate in the study. As a result, the qualitative study shifted from including eight public law schools in the South to four. Despite only being able to connect with four law schools, the research resulted in six, in-depth interviews, a contrast to the 8 that was originally planned. At the beginning of the research, the researcher had envisioned utilizing the network of law school admissions professionals to assist with the study. Those connections proved to be valuable to certain extent; however, even more barriers did arise. For those that were willing to help were faced with bureaucracy from senior administration at their respective law school regarding the study. Those

who were not faced with their local institution's bureaucracy agreed to assist the research by connecting the researcher with potential participants. Given the parameters and protocols of the study and the granting institutional review board, soliciting students was more challenging than the researcher has imagined.

Based on observations of the participant solicitation process of the study, the researcher realized why there are not many qualitative studies regarding this topic. The researcher's made the following conclusions: (1) not many individuals read communications; (2) if they do, participating in qualitative study is not a priority; and (3) the demographics of the possible participants typically do participate in this kind of research (Scharff et al., 2010). The limited, qualitative research that has been done on this area supports the researcher's conclusions. The studies that have been conducted regarding the issue are either quantitative or case studies that focus on one state or one law school. Understanding the importance of low Black enrollment at law schools, the researcher wanted this study to be comprehensive. As a result, including multiple law schools seemed to be the only option. Even with the incentives offered by the researcher, the level of participation was lower than the researcher had envisioned.

As a strategy to overcome these challenges, the researcher had to get creative. Originally, solicitation emails were only sent to law school admissions professionals. Realizing that these emails did not generate enough participation, the researcher decided to expand the search to other public law schools located in the South. This expansion included three law schools that were not a part of the original eight. More so, the researcher also sent email solicitations to local Black Law Students Association (BLSA) chapters. To the researcher's surprise, none of the BLSA chapters responded to the email solicitation. Another attempt to increase participation involved sending emails to each of the now 11 law school's deans and copying the heads of

admissions, diversity, and student affairs. Out of those 11 law schools, only 3 law schools responded back with inquiries; however, no additional participation was generated. As a final attempt, the researcher was able to generate additional participation by word of mouth. The researcher also simplified the scheduling process for those who were interested in the study. This simplification included using a platform called SignUpGenius. This free online software tool saves time with signup sheets and schedules for various needs. With the researcher's availability in hand, the researcher was able to create available timeslots for potential participants to choose from.

As a reflection, the researcher also realized that the targeted group of participants may have been too narrow. The question that the researcher ponders is "would this qualitative study have provided the same or similar results if the participant pool included 2Ls and 3LS instead of just 1Ls. One of the reasons of interviewing 1Ls is that these students most likely decided to go and prepared for law school during the pandemic. Also, the researcher took note that because of the pandemic, the LSAT transitioned from an in-person test to the virtual format, LSAT Flex. Due to the pandemic and the changes to the LSAT, the experiences of 1Ls would have most likely been different from 2Ls and 3Ls at the time.

In conclusion, the researcher did not expect to encounter any of these barriers. Like the positive deviants that participate in the study, the researcher was successful in overcoming the participation barrier. Despite not having the originally planned 8 interviews, the researcher was able to reach saturation from the 6 interviews that were conducted at 4 public law schools located in the South.

Instrumentation and Procedure

Prior to any research involving human participants, approval from my dissertation committee and the University's Institutional Review Board (IRB) was obtained. Based on The University of Mississippi's IRB policy, all human research conducted under the auspices of the institution, whether funded or not and whether conducted by administrators, faculty, staff, or students, must be reviewed, and approved before the research begins (Institutional Review Board, n.d.). Black law students were asked to participate in Zoom interviews during the beginning of the spring semester of the 2021-22 academic year. The reasoning for this time frame to collect data is that students are more likely to be available given that they are not in exam mode. An introductory email was sent to prospective participants. The email assured the students choosing to participate that the responses to the survey will be anonymous. To increase the response rate at the selected institutions, a follow-up email was sent out shortly following the initial contact. Also, to increase the response rate, when a participant completed the interview, he or she was entered to win 1 of 2 \$100 Visa gift cards. Gift card incentives for human subject research participation are generally permitted if the usage is consistent with Mississippi State Law and University policy. The interviews conducted for this study are used to elaborate on the barriers of access associated with law school admissions. Before engaging in any communications and interviews with participants, all participants completed a consent waiver as required by the University's IRB. Participation in the study was voluntary and was explained to all participants. Identities are not revealed in the study, and data will be kept for a reasonable amount of time and then destroyed so that identities are protected and information is not misused. A variety of questions were used to collect information from interviewees to understand participants' experiences and construct knowledge from their stories (Merriam, 2009; Patton,

2002; Solórzano and Yosso, 2002). All six interviews were structured, as there was a set order of questions, and the only time the researcher deviated from the protocol questions was to ask probing questions (Merriam, 2009). Interview questions for the of the study can be found in Appendix A.

One of the goals during the interviews was for the participants to be comfortable in the interviews, especially when discussing issues of their race and individual experiences. Given that the interviews were conducted via Zoom, one of my responsibilities as the researcher was to access the environment in which the participant is in. If a respondent was uncomfortable with answering a question, they were informed that they could skip that question (Patton, 2002). Before the interview, permission was obtained from all respondents to record the Zoom session. A digital recording was made of the interview and was transcribed in order to create a portable document format (PDF) transcription. To ensure accuracy, all transcripts were reviewed carefully, and an electronic copy was submitted to all participants for review. All participants were given the opportunity to add or modify the information provided in the interview.

Limitations and Delimitations.

The main delimitation of this research was the generalizability and transferability of the results to all 199 ABA accredited law schools in the United States. This research was conducted at law schools located in the southern region of the continental United States. Also, this study included public predominantly White institutions (PWIs) and historically Black colleges and universities (HBCUs). The reader should keep in mind that admissions processes may vary depending on the institution type (public vs. private, HBCU vs. PPWI, and non-profit vs. for-profit). This study did not include law schools that are considered private institutions.

Another limitation of this research was the scope or breadth of participants. Black enrollment at PWI law school is lower than HBCU law schools. More so, this research only explored the qualitative experience/perspective of a select number of African American/Black students at law schools only in the South. This research is not a true representation of all African American/Black law school students, as perspectives might vary depending on institution type and ranking, residency status of participants, familial history within higher education and law school, and other individualized differences amongst the participants.

Data Analysis Plan

Qualitative methods are the most appropriate in attempting to answer the research questions and to understand Black law students' experiences in accessing and applying to law school (Merriam, 2009). Case studies allow one to learn about something in depth and to capture observations that may be beneficial to practitioners and will expectantly create further inquiries for research (Patton, 2002). Interviews in qualitative research can provide in-depth, historical information from key informants that have extensive knowledge on a particular subject (Creswell, 2009). Although quantitative data can indicate "how" something operates, qualitative data, in this study, provided the "why," or least one's perception of "why." I interviewed one first, year Black students from each of the four selected law schools. Codes and themes were developed based upon the information received from the interviews. Once codes were established, themes can be developed to better interpret the data in a meaningful way (Creswell & Clark, 2007). Proper definitions were assigned to each code so that the information being analyzed is accurate. The information from the codes and themes were presented in a way that practitioners can use when addressing issues low Black student enrollment.

Conclusion

Exploring the positive deviants associated with the barriers of access to law school for Black students may be best researched using a qualitative methods study. The study consisted of in-depth interviews of a participant from each of the four selected law schools. Ultimately, these results provide practitioners with information that can be beneficial when addressing Black enrollment at law schools and any barriers experienced by prospective Black law students. The next chapter discusses the results and findings in depth. A discussion on the relationship, or lack thereof, between the barriers of access to law school for Black students and admitted rates are presented. Additionally, the codes and themes developed from the case study will be organized to present the qualitative data in a meaningful manner.

CHAPTER 4

QUALITATIVE FINDINGS

This chapter presents the qualitative findings of a study designed to understand the experiences and perceptions of first-year, Black law school students to better understand any possible barriers associated with the law school admissions process at selected public, ABA accredited law schools in the South. The four, public participating law schools, two HBCUs and 2 PWIS, provided a diverse background and profile of law schools accredited by the Law School Commission Council (LSAC). The Positive Deviant framework was deployed given the problem of low Black enrollment is closely associated with society's complex social system; the positive deviants identified could potentially solve the problems at hand (Pascale et al., 2010). The Positive Deviance approach is appropriate and could have successful applications given that it is based on the observation that in every community there are certain individuals or groups whose uncommon behaviors and strategies enable them to find better solutions to problems than their peers, while having access to the same resources and facing similar or worse challenges (Pascale et al. (2010). In this study, six self-identified Black law school students, positive deviants in this social system, were asked to share their perceptions of barriers to access to a legal education and how they overcame these barriers. The Critical Race Theory lens encourages society to acknowledge past injustices towards Blacks so to provide equal access to education for Black students moving forward (Ladson-Billings, 1999). With the Critical Race Theory framework hand, these students' perceptions provided a counter narrative constructed through their lived experiences (Solórzano and Yosso, 2002). The Critical Race Theory framework allowed the

students' voices and stories to be heard (Solórzano and Yosso, 2002). More so, the theoretical framework of CRT unveiled students' perceptions of barriers to accessing a legal education in terms of the flight towards freedom (Harper et al., 2009). Critical Race Theory has created a connection between how African Americans have experienced life in America and its dream of freedom and prosperity throughout time, the modern implications of their mistreatment, and the unresolved definition and attainment of freedom (Roberts, 2015).

The Research Questions

The purpose of this study is to gain a more comprehensive understanding of barriers of access to law school amongst Black students and how those students were successful in overcoming those barriers to access law school. Positive Deviant and the Critical Race Theory frameworks created a space for participants to have their voices be heard. In this study, the participating students provided insight on the following research questions:

1. What are Black law students' perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, affordability, and the culture of the legal profession?
2. What resources, skills and strategies have Black law students deployed to overcome these barriers?

As to question one, the students' perceptions of barriers were largely consistent with the literature review, in regard to the LSAT, the affordability, and the culture of the legal profession. For this qualitative study, the Positive Deviant framework exposed behaviors initiated by the students that allowed them to be successful in gaining admission to law school; as a result, they are considered positive deviants within the legal education community (Pascale et al., 2010). The Positive Deviant framework and the shared voices of the students are important in that the students' experiences support that they are different from others; moreover, their voices highlight

how they persisted through the educational pipeline and the law school admissions process. This insight provides a counter narrative to the available literature.

Participants

The participants in this qualitative study included students at public, ABA accredited law schools in the South who self-identified as first year, Black law school students. The respondents are considered positive deviants in the social structure of the legal education community and legal profession due to the disparity of Black members with the legal community. Given that the number of participating Black students was low, direct quotes were used; but they were not tied to a particular respondent to maintain anonymity. In keeping with the confidentiality of the respondents, limited identifying information was presented so as not to reveal a student or an institution.

As for diversity within the study, four of the participants were males and 2 of the participants were female. The respondents attended a mix of undergraduate institutions before advancing their education at their law schools. All but one of the participants in this study are considered traditional law students - students who attended law school within a few years from undergrad. Non-traditional law students are individuals who does not come to law school directly from their undergraduate education; typically, these students have gained a considerable amount of work/professional experience before attending law school. (JD Advising, 2020).

The participants were asked to participate in Zoom interviews during the first months of the spring semester of the 2021-22 academic year. This was a more optimal time for students given that students were not in exam mode. Interview times ranged from 45 to 60 minutes depending on the depth of responses provided by the participants. Participation in the study was voluntary and was explained to all participants. Identities are not revealed in the study, and data

will be kept for a minimal of 3 years as required by Federal regulations (45 CFR 46). Thereafter, the data will be destroyed so that identities are protected, and information is not misused. No portion of the interview is included in the appendices so as to maintain the anonymity of the interviewees and to protect the confidentiality of any instances mentioned in the interview.

A variety of questions were used to collect information from interviewees to understand participants' experiences and construct knowledge from their stories. All six interviews were structured, as there was a set order of questions, and the only time the researcher deviated from the protocol questions was to ask probing questions. Before the start of the interviews, students received the information sheet explaining the study (Appendix B) and the general release form (Appendix C). Before starting the interview, participants were reminded of the safeguards associated with the study. Thereafter, participants were reminded that the interviews were being recorded. A digital recording was made of the interview and transcribed by Zoom's transcription software and the researcher, who provided a portable document format (PDF) transcription. To ensure accuracy, all transcripts were reviewed carefully, and an electronic copy was submitted to all participants for review. All participants were given the opportunity to add or modify the information provided in the interview. The transcription documents produced from the Zoom interviews were entered into MAXQDA, a qualitative research software system that facilitates coding. Interview guide topics developed from the research questions were used to begin the coding system.

Barriers to Law School

In reviewing the literature, the three areas identified as barriers for Black students pursuing and attending law school were the LSAT, the affordability associated with pursuing a legal education, and the culture of the legal profession (Melville, 2014). The focus of this study

was structured around these four identified barriers; through the interview process, these barriers became even more evident. The participants' responses to the interview questions contributed to answering the first research question: *What are Black law students' perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, the affordability, the education pipeline, and the culture of the legal profession?* The findings for research question one are thematically organized by the identified challenges of the LSAT, the affordability, and the culture of the legal profession. To fully answer this research question, each identified barrier is individually analyzed through the lens of positive deviants, beginning with the LSAT.

The LSAT

In terms of the enrollment of Black students, the LSAT is a barrier in the law school admissions process. In a sense, it serves as a gatekeeper for the legal profession. Of the interviews conducted, all the students voiced a strong negative reaction to the LSAT or some aspect of the LSAT. To understand why the respondents felt so strongly about the LSAT, one of the questions asked of them was *"Tell me about your experiences with the LSAT."* All respondents shared that the LSAT should not be the only indication of success for law school; however, the respondents could not articulate a viable alternative to LSAT as a means of admission to law school and an indication of success in law school. Some of the respondents did mention the use of some law schools accepting GRE scores in place of the LSAT. Even with this mention, the respondents had not taken the GRE, so they could not speak to the GRE being a better alternative.

The LSAT, along with LSAT preparation, was by far the largest theme in the coding process that emerged as a major barrier to law school. Black applicants are the second highest group of test-takers; however, their scores are consistently lower than that of White students

(ABA, 2006; Austin, 2006; LSAC, 2012). A more recent report from AccessLex revealed “the average score for Black test-takers is 142—11 points lower than the average for White and Asian test-takers of 153.3 Therefore, for large proportions of Black law school applicants—49 percent in 2016-17—their marginalization in the admission process ends in outright exclusion” (Taylor, 2019). The CRT tenant’s permanence of racism provides clarity to the unequal playing field and the weight of the scores on a student’s future as issues of both access and racism. Even though there has been a recent push for an increase in diversity amongst law school students, law schools have the expectation of getting both: diversity and high LSAT scores. In reality, that is seldom the case; it is usually one or the other. The LSAT appears to be more about access than ability or aptitude. Black students must overcome more barriers leading up to taking the LSAT. Then they face the challenges intermingled with the LSAT. Black students do not have the same opportunities, resources, or access in education. Based on the experiences shared by the participants, none of them shared their experience of actually taking the LSAT. Despite that the students did not share their experiences of the LSAT, studies have proven that portions of the LSAT are challenging for students of color because of how the questions are written and the possible expectation that all students are familiar with the content of the questions (Henderson, 2004).

The Affordability

Financial Implications Associated with the LSAT. Another major theme that emerged as a barrier is the considerable cost burden associated with the LSAT. Most students have pay to take the LSAT unless they receive a fee waiver. Based on the interviews, many respondents believed to do well, they needed to seek additional preparation options other than the free resources provided by LSAT and Khan Academy. This issue is why the LSAT is a perceived

challenge for Black applicants. The financial burden associated with the LSAT is another barrier students have to overcome. As a result, there is a disconnect between students and their desire to enter the legal profession. The data from the interviews reflected that money and time it takes to prepare for the LSAT is a barrier to law school enrollment. Regardless of each student's socioeconomic status, the participating students recognized finances were not only a burden for them but also a burden for their fellow Black peers. One respondent that is now attending a PWI law school shared the following:

I was working full time while I was studying for the LSAT. I took a live Kaplan course, which is pretty pricey. Because of pandemic, they put a sale on it. \$1,600 was still expensive though. Every Saturday, I had tutoring sessions for an hour through Kaplan. It was tough, but I think it's also, because it was brand new to me.

The respondents also shared that because of the cost of registering for the LSAT, they were not willing to continue to take the LSAT. All of the respondents that participated in this study shared that they did not have a fee waiver provided by LSAC to cover LSAT registration and associated costs.

Financial Implications of Law School Attendance. Even while students are trying to figure out how to pay for the LSAT and LSAT preparation, many students have to be cognizant of the associated costs of multiple applications to various law schools. Of the respondents interviewed, all of them only applied to an average of three law schools. Some of the respondents did mention that they received application fee waivers to some law schools, others were not even aware that law schools offered fee waivers. More so, students are conscious of the tuition and cost of attendance associated with various law schools. The students that indicated that they received fee waivers learned about the waivers from friends who had been law school and were

still familiar with the application process. Like the lack of information regarding the availability of application fee waivers, many students are not aware of available scholarships. Given that paying for law school is a major barrier for many students, Black students tend to be more aware of this barrier due to the lack of financial resources provided by their family (The Truth About the LSAT Cost: What You Need to Know, 2020). As for the respondents of this study, scholarship packages offered once they were admitted was a major determining factor of paying for law school. Merit scholarships are, by far, the main type of tuition discount awarded by law schools. Essentially, higher LSAT scores and GPAs equaled more scholarships. In connection with this demographic that is being studied, Black students do not receive considerable scholarships because they do not perform well enough on the LSAT to be considered for additional scholarships. A recent article posted on Inside Higher Ed, states that “Black applicants who are admitted to law schools -- which use LSAT scores in awarding scholarships -- are less likely than those in other groups to receive non-need-based aid” (2019). Currently, law schools are not able to give scholarships to Black Students solely on race; however, race-conscious scholarships seek to alleviate the disproportionate financial barrier experienced by Black Students (Alexander, 2009). In this study, there was one outlier that had a financial advantage compared to the other respondents. This student was fortunate enough to have the GI Bill to cover their legal education. This respondent, who is considered a non-traditional law student, shared the following as it relates to the GI Bill providing the financial assistance needed to pursue a legal education:

When I got accepted, they told me I had to pay full price; but I got my GI bill, where the army pays for law school. If I was not in the military and was not able to get your GI Bill for law school, my life would be a whole lot different. You know I've been very blessed

and fortunate because I'm fortunate to not have any student loans from undergrad.

Luckily, I did not have to take out loans because my parents didn't have the money. So, I think the landscape of my life would have been tremendously different. I don't even know if law school would have been even considered because. Lord knows what I'd be doing.

The Education Pipeline

The barrier of the educational pipeline is crucial to understand and overcome in order to level the playing field for Black students. The problem being studied is low Black enrollment in ABA accredited law schools located in the South, but the issue begins well before students consider attending law school. The responses of the students are what other researchers call leaks in the pipeline, as the numbers of African American students decrease with each higher level of education (Reynoso & Amron, 2002; Tatum et al., 2008). In order for there to be an increase in the Black law students, these students must first persist through the K-12 education system and then the undergraduate pipelines.

Even though the LSAT is viewed as one of the main barriers in accessing law school, the educational pipeline is the root of the challenges and spans an individual's whole life up until they are ready to take the LSAT. There are many problems in the American education system, and leaks along the educational pipeline prove problematic for Black students. Critical Race Theory suggests that, to understand the issue of low Black enrollment, society must acknowledge the marginalization these students have faced throughout the educational pipeline. This study uses principles of Critical Race Theory to acknowledge the oppression Black communities and relies on positive deviant Black law students to share their experiences. To gain more insight into the respondents and the educational pipeline, the following questions were asked to get a better understanding: (1) *"Are you a first-generation college student?"* and (2) *"Do you have any*

attorneys in your family? If so, who? If relevant, have you spoken with that person?" Along with the LSAT, the educational pipeline presented a number of challenges to pursuing a legal education. Critical Race Theory allows practitioners, researchers, and students to acknowledge the racism and oppression present in the educational pipeline. Of the 6 respondents, all but two are first generation college students. One respondent, who is not a first-generation college student, provided valuable insight into their familial educational history by sharing:

Even though my great aunt was an attorney, she's been retired for so long at this point she's no longer working. Also, she's so far removed that it was kind of difficult to get any input from her other than go to law school. In reality, I didn't have any legal mentors.

Another non-first-generation college student respondent shared:

I am not first generation but first generation in terms of law school. I am a first-generation As for attorneys in my family, I do not have any. I do have a church member. Actually, there were a couple church members who were attorneys or judges. They were really helpful. I talked to them regularly about going to law school. I frequently consulted them about any advice and these things to consider, and stuff like that.

Based on the commentary provided by the respondents, the two students that are not considered first-generation college students did not seem to have been more prepared for law school than those who are first-generation college students.

The Culture of the Legal Community

One of the most obvious characteristics of the law school environment is a lack of racial and ethnic diversity. At the vast majority of law schools, Black students are underrepresented, relative to their proportion of the population in the state and regions in which schools are located. It is undisputed that Black students are aware of the national disparate enrollment numbers and

subsequently the disparate number of Black legal professionals. More so, Black students that are in undergraduate programs are still outnumbered in the classroom and experience the effects of disproportionalities (Dumas & Ross, 2016). With a lack of representation in the legal community, applicants question if they would be welcomed. To understand the experiences of this issue, the following question was asked of the respondents: *“Please share with me your perceptions of the culture of your law school and the culture of the legal profession, in regard to diversity.”* One respondent that is currently attending a PWI law school shared the following:

I think that it can go one or two ways. I think that there are two different experiences that specifically people can have on campus, and it's either (1) people of color are not comfortable with the rest of their peers if they do not look like them or (2) people of color are comfortable with all their peers, but there's no in between. I think that a diverse culture is welcomed by the law school. Law schools welcome minorities on campus, and they want them there, and they make an effort to make it known. I have a teacher right now who gives a diversity reading every Friday. We have class three times a week. While he knows a lot of students that are not of color do not like it, he does not care. He wants everyone to be cognizant of diversity and what minorities go through. So, I think that those are very comforting things. I think that the law school has a decent amount of people of color there that work as administrators. So, if something needs to be the move up the chain or someone needs to have like a real tall conversation, they are there. I don't think law school has enough Black faculty. I think that a lot of times I walk around, and I still feel like I'm the only one in the room in the classroom. And that may be the law school's fault it might be someone else's fault, not pointing fingers. But the culture is just that, and I think that's where you get split. You know you have people who have friends

that are in different groups, people of different races; and they either had the experience before or you know they just know how to mingle with everyone and how to how to be friends with everyone. I think it's unfair a lot of times to people who have not had that experience. You might have gone to all Black schools growing up: all Black kindergarten, all Black high school, all Black college; and now they get to law school, and they are comfortable interacting with everyone. So then you have the other perception, whereas you know people were not going to feel like the law school does enough to include them because they don't even really get to speak and kind of converse with their peers that are not of color.

Another respondent, who is attending a PWI law school, shared their experience of the culture at their law school by saying:

When you go to law school, everybody is a genius; but then you start to realize who's more of a genius, who has more access to resources, or who you know. During my first year, it was a struggle for most of the minority students because we didn't have access to all the resources; we didn't have access to most of the teachers. I feel like the minority teachers and the allied teachers we're very helpful. You hear about everybody passing around all these outlines, and I'm like I can never get my hand on the outline because we were so limited. I don't want to call it the segregation, so I'll say a separation. We knew who had the supported home, and who didn't. A lot of me and a lot of my friends ran home busting our butts trying to actually do good in law school. Other students were going home to their parents or their uncles who were attorneys looking over their assignments. So, it was kind of the like a slap on the face.

The literature identified the underrepresentation of Black in the legal community as a problem, and the culture of the legal profession as a challenge for Black applicants to overcome in the admissions process (Sloan, 2014). Historically low representation of Blacks in the legal profession was considered a challenge, but it also gave these positive deviants purpose and drive to pursue a legal education. Given the lack of representation in the legal community, it is understandable to see why there are not more students interested in going to law school. The positive deviants in this study created a counter narrative and defied the status quo. The historical marginalization of their ethnicity in the legal community provided them with purpose and passion to overcome this barrier and to the leakage in the educational pipeline. While the Association of American Law Schools (AALS) has not released law faculty data in over a decade, “that report identified that almost half of all law professors (46%) are white men, the largest share by far of any race/gender group in legal academia; more so, 7% of all law teachers are women of color and 8% are men of color” (Deo, 2021).

Overcoming Barriers

The experiences shared by the students revealed the challenges associated with the LSAT, the affordability, the educational pipeline, and the culture of the legal community were the toughest to overcome during the admissions process. The six positive deviants shared their stories to help answer research question two: “*What resources, skills and strategies have Black law students deployed to overcome these barriers*” Responses to the researcher’s line of inquiry revealed these positive deviants knew they were different and challenged the status quo for law school enrollment, but they were not able to identify what made them different. Instead, the resources, skills, and strategies they used to overcome challenges in pursuing a legal education were revealed through the coding process. The main themes that emerged as tools to overcoming

the challenges were support from others and utilizing available resources. In regard to support, one student that attended an HBCU for undergrad and a PWI for law school shared the following:

Actually, I received a lot of support, especially from my family and like my community of friends. They were very supportive. And even with like the academic resources that were available to me in the University of Mississippi like the career center or just different people. So, it was a lot of resources that were provided to me so that I could matriculate to law school more successfully. I even reached out to people who were currently in law school in terms of like preparing for the LSAT and the application process.

These themes were not necessarily connected to a particular barrier, but rather transferrable to the challenge of pursuing a legal education as a whole. In overcoming barriers to pursuing a legal education, the positive deviants in this study all matriculated to law school. It was apparent with all the respondents that they all knew some of the barriers that stood in the way of their legal education and still chose to continue on the educational pipeline. Interestingly, these students overcame the barrier of law school culture by acknowledging the problem. This acknowledgement is a hallmark of Critical Race Theory. Harper et al. (2009) explained racism is an ongoing problem in America; but as long as it is not acknowledged or recognized, the problem will be perpetuated. The positive deviants in this study acknowledged the problem of low Black enrollment and were able to overcome the problem and to focus on their educational goals without not necessarily realizing that their ‘uncommon behaviors and strategies enable them to find better solutions to problems than their peers, while having access to the same

resources and facing similar or worse challenges (Positive Deviance Collaborative, n.d.). All of the participants acknowledged there is a disparity when it comes to race in the legal profession.

Support From Others

Even before students prepare for the LSAT, they must make the decision on whether or to continue in the educational pipeline. For this study, the participants were asked “*With what you just shared, can you tell me about any support or encouragement you received during that process?*” None of the respondents had parents or family members that went to law school; however, that is not to say their parents or family members were not a factor in the decision process to pursue a legal education. For the most part, most of the respondents’ support consisted of initial hesitation because the legal profession is uncharted territory for their families. Even with that initial hesitation, respondents’ families still supported them in any way that they could. All respondents did indicate that most of their encouragement came from friends that they knew went to law school, who were also Black. While there is lack of Black representation within the legal community, the participants realized that the few Black attorneys were more than willing to provide advice on a legal education. Surprisingly, the respondents leaned on friends who went to law school as opposed to the law school admissions professionals. This is surprising given that there are individuals whose job is to assist students in the law school admissions process. These individuals are not limited to pre-law advisors at undergraduate institutions and admissions office at law. This phenomenon can be attributed to the fact that these students viewed their friends as a comfortable confidant as opposed to a stranger at a law school. Of the six respondents, only two were members of pre-law societies groups. Even as members of these pre-law societies, they felt more comfortable talking with friends who had been to law school.

Utilization of Available Resources

Given that the LSAT is one of the first steps and a major barrier in the law school admissions process, students look for ways to prepare for the LSAT. All of the respondents in this study acknowledged Khan Academy that was offered through LSAC. LSAC partnered with Khan Academy to offer free, personalized prep materials — including interactive lessons, timed practice tests, strategies, tips, and more — to help students build the skills they need to reach their LSAT goals (LSAC, n.d.). Surprisingly, all of the respondents supplemented this free resource with either other free resources and/or non-free resources. Their reasoning for additional supplements were that they did not feel as if it was adequate and/or that Khan Academy did not connect with their learning style. One of the respondents shared the following:

I know that they recommended like Khan Academy. That's about it. I didn't really use a lot of their resources because I felt it was not the best at the time. I felt Kaplan would be because I heard a lot of people talk about Kaplan. I didn't have a book, but I'm not the type of person where I can read and work through a book. I need practice tests, different exercises, and stuff; so Kaplan was really good. I mean Khan Academy helped here and there but not a whole lot.

Of the six respondents, three supplemented Khan Academy by purchasing additional LSAT preparation materials/options. Those that did make that purchase did share that this was a considerable cost that included no guarantee of admittance to a law school; however, it was a risk that they were willing to take. Given that the study participants successfully matriculated through law school, that risk paid off. The other respondents supplemented Khan Academy with free resources from friends who had matriculated through the admissions process.

Another resource that the participants utilized that not all Black law students take advantage of is attending various law school events. These events include but are not limited to law school fairs, law school forums, preview days, and open houses. Unless these events are in the same area as students, there is a cost factor associated with attendance; these costs include travel and registration fees. At the events, students have the opportunity to gain information about the law school admissions process and possibly information about specific schools. Of the participating students, all of them had attended at least one of these events. Of the 6 respondents, only one participated in CLEO - a summer institute to prepare minority and low-income students for law school. Out of the six respondents, only two had participated in a PLUS program or similar pre-law program. LSAC provides the following information regarding PLUS programs:

Each year, LSAC partners with host law schools to prepare aspiring legal professionals for law school success. Through a unique immersive learning experience, the LSAC PLUS Program offers selected participants a window into what law school is really like while providing supportive insights about the law school enrollment journey. The PLUS Program is specifically aimed at undergraduate students and prospective law school applicants one year away from applying who are from minoritized groups that are underrepresented in the legal profession. There is no cost to apply or to attend the program if selected. All PLUS participants who successfully complete the program will receive a \$1,000 stipend and an LSAC fee waiver. In addition to gaining insights on the law school admission process, future career options, and more, participants build confidence and community through supportive networking and mentoring relationships as they immerse in a program that intentionally addresses the challenges faced by minoritized students on their prelaw through practice journey. (LSAC, n.d.-i).

Ideal Law Admissions Process

This qualitative not only gave the researcher the opportunity to research some of the barriers Black students encounter in the law school admissions, but it also presented the participants the opportunity to share how the law school admissions process could improve. Specifically, the students were asked the following questions: (1) “*What advice would you give to Black law school applicants to help them navigate the admissions process?*” and (2) “*In an ideal world, what would the law school admissions process look like?*” With that opportunity at hand, none of the six participants wanted to overhaul the current law school admissions process. In contrast, students who were not successful in the law school admissions process may state otherwise. In an ideal world, majority of them shared that LSAT should not be the biggest determining factor for acceptance to law school. In particular, one participant shared the following:

I don't feel like the LSAT is the best indicator in terms of the admissions process. It is not reflective of what type of student I am. I do understand that a student's GPA should not be the biggest indicator to determine if you're eligible to come to law school. One thing that I appreciate about my law schools is that they looked at the entire package instead of a certain LSAT score. They looked at me as an individual rather than a number.

As a piece of advice for prospective Black students applying to law school, they all gave the advice of starting early in the LSAT preparation process. First supported by literature and now by real testimonials of current Black law students, starting early in the law school admissions process will potentially set prospective Black students up for success. HBCU Pre-Law shares that “as soon as a student thinks that they might want to attend law school is the time to get started. It is never too early to begin creating a success strategy or a strategic plan, especially if

you want to attend a top or reputable law school. But this is terribly important in order to have a good chance to get into any law school” (Mitchell, n.d.).

Findings Conclusion

This qualitative study aimed to analyze the problem of low Black enrollment in public, ABA accredited law schools located in the South, using Positive Deviance and Critical Race Theory as frameworks. The literature review revealed four areas that are potential challenges to pursuing a legal education: the LSAT, the availability and affordability of law schools, the educational pipeline, and the culture of the legal community. The research questions for the study inquired about Black law students’ perceptions of these barriers to see if they align with the literature. Specifically, research question one asks, *“What are Black law students’ perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, affordability, and the culture of the legal profession?”* As a follow up to that question, research question two asks *“What resources, skills and strategies have Black law students deployed to overcome these barriers?”* Using Critical Race Theory, perceptions of the challenges in pursuing a legal education were heard through the voices of six first-year, self-identified law students, or positive deviants. Chapter five discusses these findings further and provides recommendations for practice.

CHAPTER 5

DISCUSSION

This qualitative study was conducted to better understand the issue of low Black enrollment at public, ABA accredited law schools located in the South. While Black law student enrollment numbers are disparate, there are positive deviants who persisted against the status quo; these are Black men and women who were successful in matriculating into law schools. Six self-identifying Black law students at four law schools in the southern portion of the United States shared their voices and perceptions to illuminate their lived experiences in overcoming the barriers to pursuing a legal education.

Based on the literature, low Black law school enrollment is not a new phenomenon, but rather an endemically social problem that has plagued the legal field since its inception (LSAC, 2022). There are limited research studies designed to understand this social problem, and the researcher endeavored to close the gap with this qualitative study. This chapter provides a review of the Positive Deviance and Critical Race Theory frameworks, a summary of the findings, implications for practice, possible areas of further research, and recommendations to remedy the issue.

Review of the Frameworks

This qualitative study looks at the barriers of access to law school for Black students through the framework of Critical Race Theory and Positive Deviance. To understand the phenomenon at hand, one way of doing so is through Critical Race Theory and the associated theories that are aimed at providing an understanding of the implications of the United States’

complex racial history, specifically in the education system. Analyzing Critical Race Theory and applying its principles to legal education: (1) counter-storytelling, (2) the permanence of racism, (3) Whiteness as property, (4) interest conversion, and (5) the critique of liberalism; there is an overwhelming need for better representation of Black students in the law school setting (DeCuir & Dixson, 2004; Ladson-Billings, 1998; McCoy, 2006). The permanence of racism suggests that racism controls the political, social, and economic realms of U.S. society. In the context of CRT, racism is seen as an inherent part of American civilization, privileging White individuals over Black individuals in most areas of life, including education (DeCuir & Dixson, 2004; Ladson-Billings, 1998; McCoy, 2006). In relation to this study, the percentage of White individuals outnumber Black individuals in the legal education field and the legal profession. Through the tenant of counter-storytelling, the Black participants were able to share their narratives involving marginalized experiences (Delgado Bernal & Villalpando, 2002). Ultimately, this increase in representation in the legal classroom will lead to an increase in representation in the legal profession.

In *The Power of Positive Deviance*, the authors outlined three steps to the approach of solving society's social problems. To better to understand how Positive Deviance is relevant in this study, the following steps have been adapted to the problem at hand: (1) engage with individuals needing change in the process; (2) identify positive deviants - people who seem to have succeeded compared with others, despite having the same resources; and (3) work with law school admissions professionals to pinpoint what the positive deviants do differently and figure out how the legal education community can adopt these successful practices (Pascale et al., 2010).

Summary of Findings

According to the literature, there are a number of barriers Black students face in pursuing a. legal education: the LSAT, the affordability of going to law school, the availability of law schools, the educational pipeline, and the culture of the legal community (Ayes & Brooks, 2005; Tatum et al., 2008); however, the participants of this study did not identify the availability of law schools as barrier for them. The participants were interviewed using a protocol and line of inquiry informed by these barriers obstructing their pursuit of a legal education. Critical Race Theory enabled this study's Black law students to articulate their perspectives and experiences through the tenant of counter-storytelling; in return, it will allow others to better understand the problem of low Black enrollment at law schools (Solórzano and Yosso, 2002). The participants' experiences helped to address the following research questions:

1. What are Black law students' perceptions of the barriers associated with pursuing a legal education in terms of the LSAT, affordability, and the culture of the legal profession?
2. What resources, skills and strategies have Black law students deployed to overcome these barriers?

The respondents' experiences were in alignment with the literature, as they identified challenges to a legal education stemming from the LSAT, affordability, the educational pipeline, and the culture of the legal community; the use of the phrase "legal community" is a combination of law schools and the legal profession. Based on the literature, the availability of law schools is a barrier; however, the respondents did not address the availability as a barrier for them. It should be noted that not every institution has a law school, but they most likely have graduate schools. Surprisingly, the respondents were more interested in sharing their voices on the culture of the legal community and the financial implications associated with the LSAT; as a result, the

respondents did not share their experiences of actually taking the LSAT. The strategies these respondents used to overcome barriers to their pursuit of a legal education included support from others and utilizing available resources. Chapter Four provided an in-depth analysis of the findings from this study, which are also summarized below.

Findings on the LSAT as a Barrier

One consistent finding among respondents was the notion that the LSAT is a test of access, rather than of ability. The challenge of the LSAT was further manifested through the sub-themes, which included financial burden and preparation. The participating Black law students are aware of the achievement gap between Black and all other LSAT test-takers (Randall, 2006). The respondents shared their experience of their performance on the LSAT. In the LSAT preparation phase, the respondents performed at average or above on practice tests; however, on the actual LSAT, they did not perform as well for unknown reasons. In line with the literature, the respondents shared the experiences of the cost burden associated with the LSAT as a barrier to a legal education. Given that fees are assessed to register and to take the LSAT, some of the respondents felt inclined to supplement free sources with cost burdensome resources and test preparation programs. All of the respondents did not come from a high socio-economic status background, so additional resources required for both the test and test preparation created a considerable financial hardship.

Findings on the Affordability as a Barrier

Financial implications associated with the law school admissions process emerged as a barrier. Based on the literature and speaking with the study's participants, the affordability of paying for LSAT preparation, the LSAT, and admissions applications was major barrier. Not only do students have to pay to take the LSAT, but some also realize that they need to pursue

expensive test preparation materials and programs to prepare for the LSAT. Even while students are trying to figure out how to pay for the LSAT and LSAT preparation, many students must be cognizant of the associated costs of multiple applications to various law schools. In addition, the cost of attendance for law school is always prevalent. This in itself is a driving force for students to perform well on the LSAT so as to receive scholarships. Admission to law school and merit-based scholarship offers were the driving force for the respondents to continue to take the LSAT in hopes of receiving a higher score each time.

Findings on the Educational Pipeline Challenge

The respondents' perceptions of the education pipeline were aligned with challenges identified in the literature. Not only because of the literature but speaking with the respondents, the opportunity to progress in the education was a barrier due to reasons ranging from access and affordability. In the educational pipeline, once a student exits the pipeline through a leak or a crack, re-entry is nearly impossible due to access issues. Leaks in the education pipeline range from dropping out or the over criminalization of Blacks in America's society. In order to reach a critical mass of Black law school students, a critical mass must persist through K-12 and undergraduate levels of education (Reynoso & Amron, 2002; Tatum et al., 2008).

Findings on the Culture of Law Schools and the Legal Profession

For those positive deviants who perform well on the LSAT, persist through the educational pipeline, determine how to pay for the law school admissions process and law school, there remains the barrier of the legal community - law schools and the legal profession. In line with the literature, the respondents acknowledged the culture of the legal community. For those respondents who attended a PWI undergraduate institution and who were attending PWI law school, they were not shocked by the lack of Black representation. Ironically in this study,

all of the participants had attended a PWI undergraduate institution. For the respondents that are currently at an HBCU law school are at institutions where Black representation is the majority. Other issues included the lack of family members who are members of the legal profession; however, respondents did acknowledge and thank friends that went to law school who provided encouragement and support throughout the entire law school admission process. Respondents did share that initial hesitation from family was because of the notion “you cannot be what you see.” As a result, all of the respondents except one did not have family members who could be considered positive deviants who had successfully matriculated through law school into the legal profession; however, all of the respondents did have non-family members who could be considered positive deviants. The Black students that participated in this study also did not see non-attorney, Black professionals, which proved to be perplexing, both in the literature and in the interview data (Pruitt-Logan, 2003). Unlike some of their counterparts, the respondents did not have the privilege of having attorneys in their families to serve as role models.

Implications

This qualitative study, unlike most research in this area, sought to better understand the problem of low Black law school enrollment, but the findings suggest wider scope implications for practice throughout graduate and professional schools. When it comes to enrollment management, most research is focused on the undergraduate level. In order to further understand the educational pipeline, there must be more research at the graduate and professional school level. Due to the rise in popularity of accelerated law (3+3) programs, there is a direct connection of focusing research on every level of the educational pipeline after k-12.

More so, education professionals must employ principles of Critical Race Theory within their practice and seek to understand what Black students have experienced in their lives. Critical

Race Theory's counter-storytelling tenant is an opportunity for African Americans to use their voice to tell their narratives involving marginalized experiences. As to the Positive Deviant framework, professionals in the higher education arena must be able to identify what strategies did students employ in order to be successful. To do so, they must engage with individuals who were successful in their continuous pursuit of additional education compared to others, despite having the same resources.

To attract more Black students, law school professionals must cultivate a positive law school experience. To do so, law schools need to identify their values, develop a comprehensive diversity, equity, and inclusion (DEI) plan, and assess the current institutional racial climate. Law schools' offices of admissions must be proactive in recruiting and admitting racially/ethnically diverse students where it is legal to do so. To do so, law schools should collaborate with undergraduate institutions and local high schools to develop pipeline programs to law school. Where law schools are not able or not willing to use affirmative action practices, they must rely on their institutional culture to attract more racially/ethnically diverse students,

Conclusion

The primary purpose of this study was to address the issue of low enrollment of Black students at law schools and thus better understand the perspectives and experiences of Black law school students. The research questions were aimed at identifying and expanding upon the existing barriers of pursuing a legal education and the resources, skills, and strategies they used to overcome those barriers. Utilizing the conceptual framework of Positive Deviance (PD), current first year, Black law students were able to share their understanding of perceived barriers as analyzed through the Critical Race Theory (CRT) theoretical lens. Interview data was

collected, coded, and analyzed to present findings and implications for practice and help address the research questions.

The study findings were consistent with the literature, as students elaborated on the four main challenges to pursuing a legal education: the LSAT, affordability, the educational pipeline, and the culture of the legal community. The resources, skills, and strategies these positive deviants used to mitigate these four challenges included support from others and utilizing available resources.

Future Research

The problem of low Black enrollment at law school is profoundly embedded in the history of legal education. However, as revealed in Chapter Two, there has been limited research conducted to address this ongoing systemic problem. While this qualitative study sought to close a gap in the literature, it was also limited in scope. This study produced valuable findings from six Black law students at four, public ABA accredited law schools located in the south, but there remains room for future studies allowing for extended breadth and depth. Future research that would address the problem of low Black enrollment from different perspectives might include the elements of gender identity, geography, rankings, and private law schools. Findings may be different here for various reasons: (1) certain gender identities are a scarcity within the legal community, (2) certain areas of the country have a limited number of law schools compared to other geographical areas of the country; (3) some students limit themselves in the application process because they only aim for top tier law schools, and (4) private law schools tend to have a higher cost of attendance compared to public law schools (Bagby, 2022; Kuris, 2020; Law School Admission Council, 2021; Mitchell, n.d.; Best Choice Schools, 2016). For the purpose of this research, CRT's counter-storytelling is the primary tenant that is deployed. Future research

may include a more in-depth look at the other tenants of CRT and its relation to law school admission practices.

Recommendations for Law School Administrators

Achieving racial diversity in legal education and the profession will not be an automatic process. Despite the increase in enrollment of Blacks in the legal community, their presence in legal education and the profession remains less than would be expected from their percentages in the general population (Fontaine, 1995). In 2020, Black law school enrollment was 7.8%; in that same year, the legal profession was only 4.7% Black (Bagby, 2022; Kuris, 2020). Additionally, Adams (1993) found that Blacks tend to delay the law school decision process until after they have graduated from college. Therefore, law school admissions professionals should consider the following recommendations:

Recommendation One: law school admissions professionals need to develop a survey instrument that ascertains why Black students who have been admitted to their law school choose not to attend. The reason is that it is a disservice to develop effective recruiting strategies for Black students if you do not know why they are choosing not to attend your law school. Black students are being admitted to law schools; however, law schools are not yielding these students. The respondents in this study applied to multiple law schools and shared why they chose a certain law school; however, law schools are not privy to that information. For the respondents that did have multiple offers, chose one law school over another for one of the two primary reasons: (1) affordability and/or (2) culture of the law school.

Recommendation Two: law school admissions professionals should begin the recruitment process of Black students earlier by developing pipeline programs with

schools that have a large population of Black students. In recent years, many law schools have created admissions position with the coordination of pipeline programs being an essential function. At CUNY Law, “the Pipeline to Justice program accounted for a 20% increase in students of color among the incoming class” (CUNY School of Law, 2021). Like some of the respondents in this study, students are exposed to pre-law societies while in undergrad. For example, one of the respondents in the study was President of their pre-law society. Law schools’ admissions professionals can expand on their connections to these pre-law societies and advisors to develop pipeline programs to create a seamless law school admissions process.

Recommendation Three: law school admissions professionals must assess their current law school culture to determine if their law school is inclusive for potential Black students. This includes ensuring that law schools can support Black law students. This support can come in the form of Black faculty, staff, administrators, student organizations, and mentors. When communicating with Black students, most of the prospective students inquire about the composition of the faculty. This recommendation is supported by the study in that students often inquire about the culture and racial makeup of a law school. Typically, Black students are more comfortable interacting with those who either looks like them or share similar backgrounds/experiences. Based on this study, one respondent found the participation in a PLUS program was beneficial in pursuit of a legal education. As a participant of a PLUS program, the respondent had the opportunity to be exposed to the LSAT, the law school admissions process, and what to expect in law school.

Recommendation Four: Historically, Simien (1986) stated that the underrepresentation of minority students in law schools can be attributed to the admissions process and heavy emphasis on the Law School Aptitude Test (LSAT). To support this recommendation, Hathaway's (1984) findings indicated that the test is an inaccurate predictor of academic success for minority students. In 2019, the Executive Director of AccessLex Center for Legal Education Excellence stated the following:

For example, Texas Tech found that the LSAT explained a noteworthy, but limited, 13 percent of the variance in bar exam scores of its law graduates. The University of Cincinnati found that, among its law graduates, the "LSAT score does not correlate with Ohio bar exam performance." Two professors from the University of California Berkeley found that the LSAT had very weak (or no) value in predicting lawyering skills among its law graduates. In a letter seeking to correct inflated claims about the LSAT's power, the Law School Admissions Council stated that test scores were not appropriate tools for assessing things like bar exam risks. Nonetheless, the LSAT is used by law schools in ways that systematically exclude Black people to extents experienced by no other racial or ethnic group--using justifications that merit much suspicion" To address this issue, law school admissions professionals should create programs and resources for LSAT preparation. More so, there should be a consensus amongst the admission committee that there is a goal to diversify legal education. (Taylor, 2019).

Recommendation Five: law school admissions professionals should offer more scholarships in an effort to aggressively recruit Black students. Although the *Grutter* decision allowed Texas law schools to disclose race or ethnicity in the admissions process, the decision was not clear regarding the awarding of scholarships and other financial aid (*Grutter v. Bollinger*, 2003). Therefore, law schools will need to be creative in how these awards are determined and offered to minority students overall. For example, law school could commit scholarship financial resources to students who are first generation graduate students. Also, law school administrators might also offer a full-tuition scholarship to Black students who have graduated from an HBCU (*Students at 35 HBCUs Can Receive Full-Tuition Scholarships at Suffolk University Law School*, 2021). Additionally, outside organizations that provide funding and scholarships to Black law students and other racially/ethnically diverse law students need to increase their efforts because these funds have allowed law schools to progress tremendously in the recruiting of Black students. A robust capital campaign to raise funds to support scholarships and students is another option. Based on the respondents in this study, the affordability and the availability of scholarships was a barrier and a factor in the decision process of choosing which law school to attend.

Recommendation Six: law schools with a lack of Black faculty are depriving their students of a diverse classroom education (Bellamy, 1992). The respondents in this study noted the lack of representation of Black faculty at the PWI law schools. In an effort to cultivate the increase and promotion of Black faculty, at a minimum, law school administrators should hire local Black attorneys as adjunct or part-time faculty. Additionally, Black alumni and other minority alumni should take a more active role in

providing support to Black law students. For example, the Diversity Council at one participating law school in this study calls prospective Black students.

Recommendation Seven: law schools admissions professionals must find a way to connect with prospective students in a way that the students are comfortable. In a sense, offices of admissions must not only be accessible but responsive as well. Based on the participants of this study, all of them relied on friends who had gone through the law school admissions process. One particular caution is that the information that these students are receiving may be outdated and/or not in their best interest. As evident in the experiences shared by the respondents, law schools must have a racially/ethnically diverse network of law school affiliates who are ready to provide support to prospective/admitted Black students. Based on the study, the utilization of available resources is one strategy that the positive deviants made use of in order to successfully prepare for law school. Law schools' admissions professionals have the opportunity to make LSAT resources more readily available to all students that are considering going to law school.

Recommendation Eight: law schools and LSAC must identify ways to make recruiting events accessible and affordable for students. For example, a possible solution is for LSAC to host a diversity forum in a major city where most racially/ethnically diverse students are located and apply to law school. Also, law schools should host events that are tailored for racially/ethnically diverse students. The participants in this study shared their experiences of the considerable costs associated with the process; having to pay for travel and to register for law school forums is an additional financial barrier for Black students.

Based on the literature and the findings from this study, there are behaviors and strategies that have enabled Black law students to be successful in the law school admissions process. The supported recommendations have the potential to increase the racial makeup in legal education and the profession. More so, a commitment to diversity, equity, and inclusion in the legal community has the potential to address the issue of low enrollment of Black students at law schools. Law schools must be committed to providing an educational environment that reflects the broader society and its varied perspectives, people, and principles.

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APPENDIX

Appendix A

Interview Protocol

I. Introduction

Thank you for agreeing to participate in my study regarding the barriers of access to law school for Black students. I appreciate the time that you have set aside to answer some of my questions. The interview should take about an hour, does that work for you?

Before we get started, I want to provide you with an overview of my study and answer any questions you might have about participating as an interviewee. I am currently working towards a doctorate in Higher Education at The University of Mississippi. The primary purpose of this study is to address the issue of low enrollment of Black students at law schools and thus to better understand the perspectives and experiences of Black law school students.

When referring to the law school admissions process, I am referring to any part of the process from the moment you decided you wanted to apply to law school, including, but not limited to the LSAT preparation and test, obtaining reference letters, completing the application, attending law school recruiting events, up until the first day of orientation. I am particularly interested in understanding your experience with the law school admissions process, and any strategies you might have used to overcome any barriers.

For this study, I am engaging with several first year, Black students at four law schools in the South in order to learn more. I want to assure you that I am strictly operating under the responsibility of a researcher today. This means that the nature of my questions will not be making any judgments on your experiences or your perception of the law school admissions process. I have received permission from The University of Mississippi's Institutional Research Board to complete and publish this study. Thus, your responses will be used, and associated with a pseudonym to ensure that this study is anonymous.

At the conclusion of my study, I can provide you with a copy of my dissertation if you are interested. Do have any questions about the study before we get started? If you do not have any (more) questions, I would like to have your permission to begin the interview. For this Zoom interview, it will be recorded so that I can accurately capture what you share with me.

Throughout the interview, I will also be jotting down notes throughout our conversation. May I also have your permission to record our conversation?

II. Setting the Stage

To start the conversation, if you could start by telling me a little bit about yourself, including where you went to undergrad, why you chose to attend your current law school, and what a "typical" day as a law student looks like for you, that would be great.

1. Are you at least 18 years of age?
2. What is your name?
3. What law school do you attend?
4. What year are you?
5. What race/ethnicity do you identify as?
6. What gender do you identify as?

7. Are you a first-generation college student?
8. Do you have any attorneys in your family? If so, who? If relevant, have you spoken with that person?
9. Where are you originally from?

III. Interview

A. Transition:

Thank you for telling me a little bit more about yourself. Now, I would like for you to reflect back to when you first decided to go to law school.

9. Why did you decide to go to law school? Could you please walk me through your thought process?
10. With what you just shared, can you tell me about any support or encouragement you received during that process?
11. In your pursuit of a legal education, can you tell me about any barriers/challenges you encountered during your decision to go to law school?
12. Thank you for sharing some of the barriers/challenges you faced. Can you please share how you overcame some of these barriers/challenges?

B. Transition:

Thank you for sharing your journey. The next couple of questions will focus more on the admissions process and your perceptions of the process.

13. Tell me about your experiences with the LSAT.
14. Can you please walk me through the admissions process, step-by-step?
15. In your pursuit of a legal education, can you tell me about any barriers/challenges you encountered during the law school admissions process.
16. Thank you for sharing some of the barriers/challenges you faced. Can you please share how you overcame some of these barriers/challenges?
17. In an ideal world, what would the law school admissions process look like?
18. With what you just shared, can you tell me about any support or encouragement you received during while navigating the law school admissions process.

C. Transition:

Once again, thank you for sharing insight regarding your individual experience. The final questions might be considered more sensitive in nature because they focus specifically on your identity as a first year, Black law school student.

19. Please share with me your perceptions of the culture of your law school and the culture of the legal profession, in regard to diversity.
20. What advice would you give to Black law school applicants to help them navigate the admissions process?

IV. Closing Questions

If there is anything that we have not covered today or if there is something that you would like to expand on regarding the posed questions, please feel free to do so.

V. Closing

Thank you for agreeing to participate in this study. In the event that I need to reach you to follow up, is that okay? And if so, what is the best way I can reach you? Once again, thank you for participating in my study. If you have any questions, comments, and/or concerns regarding the study, please feel free to contact me at the through the contact information provided above.

Appendix B Information Sheet

Title: The Perceptions of Black Law Students Regarding the Barriers of Access to Public Law Schools Located in the South

Investigator

Joshua Quinn Tucker, J.D.
Department of Higher Education
1055, Robert C. Khayat Law Center
The University of Mississippi
(662) 915-1852
jtucker1@olemiss.edu

Advisor

Macey Lynd Edmondson, J.D., Ph.D.
Department of Higher Education
231 Guyton Hall
The University of Mississippi
(662) 915-6819
mmaceye@olemiss.edu

By checking this box, I certify that I am 18 years of age or older.

Description

The purpose of this study is to gain a more comprehensive understanding of barriers of access to law school amongst Black students and how those students were successful in overcoming those barriers to access law school. First year, Black law students will be asked to participate in Zoom interviews during the spring semester of the 2021-22 academic year. Interview times will range from 45 to 90 minutes depending on the depth of responses provided by the participants.

Possible risks from your participation

There are no immediate possible risks from your participation in this study. Identities will not be revealed in the study, and data will be kept for a reasonable amount of time and then destroyed so that identity is protected, and information is not misused.

Benefits from your participation

You should not expect benefits from participating in this study. However, you might experience satisfaction from contributing to the understanding of education access. Also, answering the interview questions might make you more aware of successful strategies that you deployed to matriculate into law school without knowing beforehand.

Incentives

All participants that complete the interview, he or she will be entered to win 1 of 2 \$100 Amazon gift cards. Participants estimated chance of receiving one of the 2 gift cards is about 1 out of 4.

Confidentiality

The investigator and the advisor will have access to your records. We will protect confidentiality by physically separating information that identifies you from your responses.

Members of the Institutional Review Board (IRB) – the committee responsible for reviewing the ethics of, approving, and monitoring all research with humans – have authority to access all records. However, the IRB will request identifiers only when necessary.

Right to Withdraw

You do not have to volunteer for this study, and there is no penalty if you refuse. If you start the study and decide that you do not want to finish, just tell the investigator. Whether or not you participate or withdraw will not affect your current or future relationship with the University of Mississippi, or with your University, and it will not cause you to lose any benefits to which you are entitled.

The researchers may terminate your participation in the study without regard to your consent and for any reason, such as protecting your safety and protecting the integrity of the research data. If the researcher terminates your participation, any incentives will be prorated based on the amount of time you spent in the study.

IRB Approval

This study has been reviewed by The University of Mississippi’s Institutional Review Board (IRB). If you have any questions, concerns, or reports regarding your rights as a participant of research, please contact the IRB at (662) 915-7482 or irb@olemiss.edu.

Statement of Consent

I have read and understand the above information. I have been given a copy of this form. I have had an opportunity to ask questions, and I have received answers. I consent to participate in the study. Furthermore, I also affirm that the experimenter explained the study to me and told me about the study’s risks as well as my right to refuse to participate and to withdraw.

Signature of Participant/ Legally Authorized Representative

Date

Printed name of Participant/ Legally Authorized Representative

Appendix C
University of Mississippi Release Form

For valuable consideration, I do hereby authorize The University of Mississippi, its assignees, agents, employees, designees, and those acting pursuant to its authority (“UM”) to:

- a. Record my participation and appearance on video tape, audio tape, film, photograph or any other medium (“Recordings”).
- b. Use my name, likeness, voice, and biographical material in connection with these recordings.
- c. Exhibit, copy, reproduce, perform, display, or distribute such Recordings (and to create derivative works from them) in whole or in part without restrictions or limitation in any format or medium for any purpose which The University of Mississippi, and those acting pursuant to its authority, deem appropriate.
- d. I release UM from any and all claims and demands arising out of or in connection with the use of such Recordings including any claims for defamation, invasion of privacy, rights of publicity, or copyright.

Name: _____

Address: _____

Phone No.: _____

Signature: _____

Parent/Guardian Signature (if under 18): _____

Appendix D
Email Solicitation to BLSA Chapters

Dear BLSA,

I hope all is well and that the school year is off to a great start.

My name is Joshua Quinn Tucker, and I am a PhD candidate in the Department of Higher Education at The University of Mississippi. I am conducting a research study on the perceptions of Black law students regarding the barriers of access to public law schools located in the South.

First year, Black law students will be asked to participate in Zoom interviews. Interview times will range from 45 to 60 minutes depending on the depth of responses provided by the participants. All participants that complete the interview will be entered to win 1 of 2 \$100 Amazon gift card.

There are no immediate possible risks from a student's participation in this study. Identities will not be revealed in the study, and data will be kept for a reasonable amount of time and then destroyed so that identity is protected, and information is not misused. This research has been approved by the University of Mississippi's Institutional Review Board.

If you could forward this to the 1Ls within the Chapter and/or ask a 1L to participate, it would really mean a lot.

<https://www.signupgenius.com/go/5080B4FAAAC29A2FD0-theperceptions>

If you have any questions, please let me know.

Many Thanks,
Joshua Quinn Tucker, J.D.
Department of Higher Education
1055, Robert C. Khayat Law Center
The University of Mississippi
(662) 915-1852
jtucker1@olemiss.edu

Appendix E
Email Solicitation to Law School Administrators

Good Afternoon Dean _____ and _____ Law Leadership,

I hope all is well with each of you.

My name is Joshua Tucker, and I am conducting a research study on the perceptions of Black law students regarding the barriers of access to public law schools located in the South. The purpose of this study is to gain a more comprehensive understanding of barriers of access to law school amongst Black students and how those students were successful in overcoming those barriers to access law school.

First year, Black law students will be asked to participate in Zoom interviews. Interview times will range from 45 to 60 minutes depending on the depth of responses provided by the participants. Further instructions will follow in a separate email for those students who agree to participate.

All participants that complete the interview, he or she will be entered to win 1 of 2 \$100 Amazon gift cards. Participants estimated chance of receiving one of the 2 gift cards is about 1 out of 4.

There are no immediate possible risks from a student's participation in this study. Identities will not be revealed in the study, and data will be kept for a reasonable amount of time and then destroyed so that identity is protected, and information is not misused. This research has been approved by the University of Mississippi's Institutional Review Board.

If you could forward the following link to the student (or students), that would be great. It would really mean a lot! With this research, law schools like yours and mine can provide us with insights on how to increase and support racially/ethnically diverse students.

<https://www.signupgenius.com/go/5080B4FAAAC29A2FD0-theperceptions>

If you have any questions, please let me know.

Many Thanks,
Joshua Quinn Tucker, J.D.
Department of Higher Education
1055, Robert C. Khayat Law Center
The University of Mississippi
(662) 915-1852
jtucker1@olemiss.edu

VITA
JOSHUA QUINN TUCKER

EDUCATION

Juris Doctor, University of Mississippi School of Law, May 2020

Bachelor of Arts in Political Science, University of Mississippi, May 2017

Bachelor of Business Administration in Management, University of Mississippi, May 2017

PROFESSIONAL EXPERIENCE

Recruiter, Office of Admissions and Scholarships

July 2021 – Present

The University of Mississippi

Graduate Assistant, Division of Student Affairs

August 2020 – May 2021

The University of Mississippi

HR Intern, Workforce Management and Consulting

June 2019 – August 2019

U.S. Department of Veterans Affairs

Legal Intern, Lawrence Livermore National Laboratory

June 2018 – August 2018

U.S. Department of Energy

Retreat Coordinator, Luckyday Success Program

August 2014 – September 2019

The University of Mississippi

SERVICE

Advisor, Alpha Phi Alpha Fraternity, Inc. – Nu Upsilon Chapter

March 2022 – Present

The University of Mississippi

Member, Capital Campaign Committee

November 2021 – Present

University of Mississippi School of Law

Advisor, Deans' Leadership Council

July 2021 – Present

The University of Mississippi School of Law

Member, Diversity Council

July 2021 – Present

The University of Mississippi School of Law

Advisor, Columns Society

August 2020 – May 2021

The University of Mississippi

TEACHING EXPERIENCE

Adjunct Professor, Department of Political Science

January 2021 – Present

Tougaloo College