Understanding Needs and Challenges of African American Students Enrolled in the Moritz College of Law

Thesis

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By

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Abstract

There is currently a vast amount of underrepresentation of Students of Color who attend law school. However, the even greater amount of inconclusive documentation accounting for the experiences of Black law school students is concerning. Documenting the issues that Black students face in educational pursuits of obtaining their Juris Doctorate is what will eventually evoke change and help them excel in their greatest potential. Thus, the aim of this study was to support the exigency of enhanced supportive measures for African American Students enrolled in the Moritz College of Law at Ohio State. In an effort to evaluate the conditions in which African American Students have endured in their journey to arrive at the Moritz College of Law, an exploratory study was utilized through cross-sectional interviews to gather qualitative descriptive data. Each interview consisted of a series of questions related to constructs and lived realities of childhood and adolescent experiences, impact of COVID on the lack of legal opportunities for students, challenges faced during 1L through 3L, and methods of responding to adversity. Based on 12 in-depth interviews with adults who identify themselves as underrepresented minorities within the African American community, the results of this study present different barriers that are divided into two groups: institutional barriers and internalized barriers. This study demonstrates that if adequate steps are not taken to improve diversity and inclusion, the minoritized population at Moritz College of Law will continue to face more challenges as they navigate gaps in equities within the legal profession. It is pivotal to acknowledge and study the social determinants that persist in African American communities that directly affect students of color in law schools.
Dedication

I am privileged to be able to have shared my college experience with my son, Carson. He has been my motivation to complete my undergraduate degree and proceed to law school. I also express great appreciation to my grandmother for raising me to reach high standards and constantly reminding me that the sky is the limit. I dedicate this research to every Black law student who played a role in my research by giving me insight on what life is like as a law student while inspiring me and affirming that the path to legal education is one that I need to pursue. The most important thing that I learned from the interviews I conducted is how resilient and deserving my participants are, I know there is a plethora of remarkable things that are in store for them.
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Curriculum Vitae

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Fields of Study

Major Field: Honors Social Work

Pre-Law Track
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Chapter 1: Statement of Problem

There is a vast underrepresentation of African American Students in the legal profession and in legal disciplines pertaining to law schools in the United States. This study will explore the conditions in which African American Students have endured in their journey to arrive at the Moritz College of Law. Data will be collected through interviews used to gather qualitative, descriptive research. The study will aim to address the lived experiences of African American Students in law school at Ohio State with interest in enhancing educational outcomes. The study will focus on the social determinants that persist in African American communities that directly affect those on the path to obtaining their Juris Doctorate Degree.

Problem Statements

Black law students are at a higher risk of experiencing hardships in their formative years due to an excessive exposure to unique academic stressors, mental health challenges, and socioeconomic disparities. On account of this, Black law students require a higher level of support services to aid a successful law school matriculation, “students who were forced to be resilient their whole lives don’t need another conversation about grit. They need resources, guidance, sponsorship, advocacy” (Willis, 2022). Some students are even impacted by mental health stigma to any even greater degree which prevents them from asking for such resources, guidance, sponsorship, and advocacy. Most law schools are aware of this and proactively seek to introduce students to the kinds of wellness interventions that are available to them before the school year starts. Nonetheless, law schools must realize that such interventions should not conclude at student orientation programs, “Self-care practices must be reinforced throughout law school and integrated into the curriculum. In other words, law schools should play a primary role in normalizing discussions and actions around the mental and physical care of its students. Law
schools must also take steps to proactively address race-based stress and trauma experienced by students of color. Schools can create supportive communities and spaces for students of color to share experiences. Schools can also provide allyship training to address race-based stress and the trauma of “otherism” in law school. These changes must be long-term and profoundly impact the well-being of not only law students, but the very practice of law itself. There will be resistance, but making this transition to a culture of wellness is crucial. The legal profession, indeed our lives, literally depend on it” (Bloomberg Law, 2021).

Purpose of the Study

The purpose of the study was to examine the necessities that are required for Black law students to excel in law school while simultaneously considering what might work best to mitigate the amount of concerns, challenges, and hardships faced in the journey to obtaining a Juris Doctorate. One of the best ways to empower minoritized groups is to invest in leadership opportunities from individuals who have lived experiences with the kinds of issues you seek to improve. This is a method in giving individuals their power back by allowing them to voice their concerns and suggest solutions for what might best help them. Through my study, I was able to witness this process occur. Entering law school is a challenging feat but by doing so, participants empower themselves and become leaders in society as attorneys. The study hopes to assist in carrying out the principles set forth in an affirmative action decision decided by the United States Supreme Court, a decision that permitted schools that have the intent of increasing diversity in their class to consider admitting underrepresented racial and ethnic minority applicants upon a holistic individualized review of the applicant. It was argued in this particular landmark case that implementing affirmative action is unconstitutional when an applicant’s chances are likely to increase solely based on his or her race, rather than the various subjective factors in their
application package (Grutter v. Bollinger and Gratz v. Bollinger, 2003). The purpose of the study is to help law schools realize the amount of weight and power that they hold in dismantling discriminatory and unjust practices during the process of not only admitting, but informing the next generation of leaders and legal advocates. In Grutter v. Bollinger, Justice Sandra Day O’Connor articulated this point by describing the importance of diverse law schools in society in that, “in order to cultivate a set of leaders with legitimacy in the eyes of the citizenry it is necessary that the path to leadership be visibly open to talented and qualified individuals of every race and ethnicity. Furthermore, law schools cannot be effective in isolation from the individuals and institutions with which the law interacts” (Arreaga et al., 2020). Lastly, the study provided a means for participants to inform those with vested interest in advancing diversity, equity, and inclusion about their specific concerns, challenges, and potential needs.

**Significance of the Study**

This study began with a topic that was closely sensible to my own career interests, but it ended up becoming a project that I hope creates substantial change for Black law students. Diversifying the pipeline of the legal profession will produce significant benefits to clients in the future, by doing so, the disparities in civil and criminal representation received by minorities will become addressed and pave the way towards change. Likewise, the community will benefit from seeing an increase in Black Representation in the legal field. This increase will further pave the way for aspiring Black Attorneys to understand that their sense of longing to achieve their dreams does not stray too far from home. Communities of color will feel reassured knowing that the representation they would receive from a Black attorney is with their best interest in mind. Accepting and creating a more inclusive legal sector is essential to inviting cultural humility to occur, “diversity matters because being a diverse profession allows attorneys to reflect the
cultures, values, and diversity of our clients, and to bring different cultural, racial, ethnic, religious and gender perspectives to bear in order to more effectively solve problems for our clients and the community” (Illinois State Bar Association, 2008).

**Population**

The statistics for the number of Attorneys of Color in the United States has been unwavering and misfortunate to say the least, “In 2020, the American Bar Association (ABA)’s Profile of the Legal Profession (‘ABA Profile’) collected data revealing that African-American attorneys represent just five (5%) percent of all attorneys in America. According to the U.S. Census Bureau, African-Americans make up approximately thirteen (13%) percent of America’s population. Black attorney representation, at an amount of five (5%) percent, has remained unchanged for the last ten years” (Lewis, 2022). Likewise, the lack of diversity for Black women in law firms can be accounted “as confirmed by a recent report from the National Association for Law Placement and a recent survey of diversity at 232 law firms by Vault and the Minority Corporate Counsel Association, women of color and black women specifically continue to be significantly underrepresented, making up 8.57% and 1.73% of all attorneys, respectively” (Melaku, 2019). These statistics give rise to the exact gendered racism that contributes to systemic microaggressions, discriminatory practices, and privilege for those who exist outside of any marginalized groups in the legal sector. The study You Can’t Change What You Can’t See documents implicit gender and racial bias observed in the legal workplace and further describes how the work environment and legal associates become affected in the process, this study corroborates “widespread gender and racial bias permeates hiring, promotion, assignments, and compensation in the legal industry. Fifty-eight percent of women attorneys of color, and half of white women lawyers surveyed say they have been mistaken for administrative staff or
janitors… In glaring contrast, only seven percent of white male lawyers report a similar occurrence” (Williams et al., 2018). A decisive implementation of support services designed to aid African American Students should be ensued from this dissatisfying data. The need to increase the amount of representation in the legal field must be not only demanded, but guaranteed to prospective Black and Brown Attorneys.

**Research Aims and Objectives**

The research aim is to feature a multifaceted rationale that supports the need for leveling the playing field for prospective Black law students to succeed, “A 2015 study by the Bureau of Labor Statistics found that the law was the least racially diverse profession in the country, and it remains among the top” (Division of Labor Force Statistics, 2022). The goal is thus to create a path that transforms statistics forever in a positive direction by admitting more Black candidates into law schools across the nation. In doing so, the objectives of this research is to explore the lived experiences of African American Students in leading public law schools within the State of Ohio. This will be done through studying the presence of struggles and successes experienced by African American Students throughout their professional pursuits of becoming future lawyers. All potential barriers, concerns, frustrations, and educational disparities will be examined when studying the holistic experiences of African American students. This research will also include experiences of common human welfare experienced by African Americans as compared to their non-African American counterparts. Any nature of hardship and benevolence will be highlighted in the research to demonstrate the depth and gravity of educational inequalities experienced by students in their younger years of obtaining education in previous school settings. To gain insight on how this social issue came about and evolved over time, it is essential to analyze the history of African American experiences in higher education. This includes the lack of access to
opportunities, educational foundations, and support in learning at higher levels. For the purposes of this study, underrepresentation of minorities in professional schools like the Moritz College of Law will be defined in terms of factors that contribute to gaps in postsecondary attainment. As less than a quarter of students attending the Moritz College of Law are students of color, it is essential to amplify their voices and explore “the presence and persistence of large national gaps in representation and find out why Black and Hispanic students are underrepresented at more selective schools in ways that cannot be explained by differences in community demographics” (Monarrez & Washington, 2020).

Chapter 2: Literature Review

Introduction

This literature review will provide an historical account of the adverse conditions that have been structurally maintained to limit access to the cultural and social institutions of society. Theories associated with African American students in higher education and their engagement, or lack thereof, in professional schools like law school will be discussed. From there, this literature review will focus on the success factors, strengths, obstacles, and barriers of the African American student population at various educational institutions in the United States. Literature will call attention to the specific approaches that make it possible for African American students to do well in law school and will call attention to any suggestions to improve or enhance the experience for Black law students.

Background of the Problem

African American communities have been historically disadvantaged and oppressed due to the principles of servitude which deprived slaves the right of an education. A narrative was created to establish the idea that African Americans as a race were intellectually inferior and did
not deserve the profound basis of higher education. In Thomas Jefferson’s notes on the State of Virginia, he gave heed to this idea in stating that “in reason much inferior, as think one could scarcely be found capable of tracing and comprehending the investigations of Euclid; and that in imagination they are dull, tasteless, and anomalous. It would be unfair to follow them to Africa for this investigation. We will consider them here, on the same stage with the whites, and where the facts are not apocryphal on which a judgment is to be formed. It will be right to make great allowances for the difference of condition, of education, of conversation, of the sphere in which they move … Never could I find that a black had uttered a thought above the level of plain narration; never see even an elementary trait, of painting or sculpture” (Jefferson, 1781). Slaves were able to surpass their harsh realities by obtaining knowledge and teaching themselves, “Adult education of blacks began at the moment they made contact with the people condemning them to slavery and continued unabated as they entered into their new environment in North America” (Whiteaker 1990). It took more than two hundred years after slavery emerged before Alexander Lucius Twilight became the first African American to receive his bachelor’s degree from Middlebury College in 1823. Twilight also became the first black American to win election to public office and join the Vermont Legislature in 1836 (University, 2019). These accomplishments sparked conversation and changed the global climate of the United States as close to 40 African Americans became graduates of prestigious colleges and universities in the North. Colleges and Universities in the South remained off limits to African Americans until the 1950s and 1960s (Slater, 1994). This presents how segregation and strongly held abolitionist sentiments among faculty and administration produced barriers for the African American population to receive a higher education regardless of their geographic location. Yet, even more evidence to substantiate such partiality in admissions was brought forth by several case laws
including University V. Murray, Sweatt v. Painter, In Grutter V. Bollinger, and many more both preceding these conversations, and thereafter. The first case in point begins with Donald Gaines Murray who was initially rejected from the University of Maryland School of Law based solely on the basis of race which he contended was a violation of the Equal Protection Clause found in the Fourteenth Amendment written in the United States Constitution. Thurgood Marshall represented Murray in court and argued that Murray was denied ""separate but equal"" treatment because he was denied access to an accredited local law school. Court of Appeals Judge Carroll T. Bond ruled that, in order to accommodate Plessy v. Ferguson, Murray could attend the institution, but he had to remain separated from white students” (Archives of Maryland, 1936). Herman Marion Sweatt unfortunately became privy to similar circumstances when he found himself denied admission to the University of Texas Law School also on the sole basis of color. Sweatt filed a lawsuit after being excluded from being admitted to the law school, “In a unanimous decision, the 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. The Court argued that the separate school would be inferior in a number of areas, including faculty, course variety, library facilities, legal writing opportunities, and overall prestige. The Court also found that the mere separation from the majority of law students harmed students' abilities to compete in the legal arena” (Sweatt v. Painter, 1950). Both cases were pivotal in challenging prejudice and advancing the process of school integration in public, private and professional schools in the United States. Still, this progress cannot be acclaimed without cognizance of all the racial disparities that had to transpire before any change came about. These cases vividly expose the fact that less than 100 years ago, various law schools actively engaged in a system
that oppressed and excluded prospective students on the sole basis of color. This exclusionary process continues to occur today not only in the admissions process but in the post-law school job search as well, “some firms state explicitly that they only recruit from the top 10% of specific schools. If you’re only selecting from four of the 199 accredited schools, and with additional contingencies, it’s going to be challenging to recruit diverse talent” (Kanu, 2021).

**Theories**

Numerous studies have offered suggestions for the prevalence of disparities among Black Law Students. Moreover, several propositions have presented their support towards an approach that seeks to understand the intersections of institutions, systems, identity, and hierarchical categorizations as they exist to create such disparities. These propositions are grounded in intersectionality theory and can provoke intense discussion about the culture of the legal profession. Intersectionality theory impels one to scrutinize the legal profession and recognize the urgency of abandoning established customs and conformity that disregard the inherent differences that exist among marginalized members of the legal sector, “In order to augment the presence of Black lawyers in the legal profession, the linkage between social classifications known as racial identity, sexuality, gender, disability, and nationality must be acknowledged and considered. Intersectionality theory demonstrates that the overlap of these identities thus creates discrimination or privilege, “the synthesis of these oppressions creates the conditions of our lives. For example, as Black women we see Black feminism as the logical political movement to combat the manifold and simultaneous oppressions that all women of color face” (Collective of Black feminists, 1978). This idea was further echoed within another study that analyzed the role of intersectionality invisibility theory as it relates to the intransigence that many Black women face. Black women are prone to face resistance in discussions that contribute to their
advancement in education and personal life matters, “Black women are often overlooked in people’s conversations about racism and sexism even though they face a unique combination of both of these forms of discrimination simultaneously” (Coles & Pasek, 2020). Data from a study that conducted in-depth interviews with Black female lawyers in elite law firms revealed various barriers that hinder the ability to train, mentor, retain, and promote young legal professionals of color. Elissa, a fifth-year associate who participated in question probes concerning mentorship and sponsorship opportunities stated:

“No, [I don’t have a mentor]. A law firm is relationship-driven…. You work with partners who choose whether they see something that you are not. As an associate, if the work you do is of a certain caliber, you will advance. But to continue advancing, you need to have a partner and/or senior associates that take a liking to you. And in terms of taking a liking, that’s a very personal choice. You can’t tell a person, “Oh, you should take an interest in that person, or you should take an interest in that person.” You just know that people tend to gravitate to people who are similar to them, and I know I’m different than a lot of the people at the firm.”

Elissa provides a prefigure for retention disparities that indubitably existed before she even became an associate. To examine such workplace practices and the various inequities that consequently result, one must shift their perspective towards how these practices are enabled and why racially homogeneous networks continue to assemble. In the legal profession, it is very evident that is a curtailment for who gets access to certain resources, opportunities, and networking possibilities. Policies and practices must be improved, law firm associates must eradicate biases with the intent of producing more opportunities for attorneys of color to advance in the legal profession. Without doing so, law firms will only continue to justify as well as perpetuate daily racial oppression and systematic gendered racism.
The researcher of the study additionally uses three theories including the invisible labor clause, the inclusion tax, and the labor of invisibility to corroborate her findings from the interview with Elissa. The invisible labor clause is the theory that is referred to in the study as the terms of employment for women and professionals of color, “that is, they are required to perform added, unacknowledged, and uncompensated labor and to pay additional “taxes” for their inclusion in these social and professional spaces that would otherwise view these professionals’ inherent differences as obstacles to their career advancement. One of these taxes is what I call an inclusion tax, which is levied in the form of time, money, and mental and emotional energy required to gain entry to and acceptance from traditionally white and male institutional spaces. That can include the hours at the hair salon needed to conform to European standards of beauty and the tailoring of clothing to fit within white norms of professional attire, both of which are costly to women of color. Adding to this cumbersome load is the emotional and mental burden inflicted upon those who are perpetually the only person of color, or woman, or person of a modest economic background in the room. Next, there is the labor of invisibility. This includes the need to work longer or harder to get noticed and the pressure to be flawless, because the stereotypical assumption of incompetence leaves little to no margin for error” (Melaku, 2019). Each of these theories are associated with the unreasonable circumstances that affect Black law students and Attorneys of color to fully engage in professional aspects. The legal work sector must abstain from creating racial and gendered disputes to mitigate the type of bias that elicits detrimental harm to people of color. The perception of an individual being inadequate for a specific organizational culture is creating by such disputes.
Success Factors and Strengths

The African American student experience is cultivated by direction, focus, nurturement, engagement, connection, and valuable moments in learning. In a qualitative research study conducted by the Fresno City College 2014 Student Equity Plan, all these factors were what current African American students identified as important assets to their success as scholars attending the community college in California. The three most principal factors to the students who participated in the focus group were “valued, focused, and nurtured.” Students wanted the sense of feeling valued and recognized by peers, faculty, and administration. Students had the ability to remain focused and consider their motivations as influence to advance towards their degrees. Lastly, students discussed how being nurtured by peers and teachers on campus helped them excel through challenges which emphasizes the importance of having a fanatical support system. The focus groups investigated this idea further in classifying supports to success including faculty, counselors, financial assistance, academic support, special programs, and student clubs (Fresno City College, 2015). The data collected in the qualitative research study by the Fresno City College closely correlates to similar findings from other organizations, initiatives, and institutions that seek to find specific approaches that equip Black law students with the resources that they need to do well in law school. Students are encouraged to find specific organizations that are curated for their success and will serve to consider the specific types of support that they may need for the identities that they hold during their law school experience. For instance, the number of resources available to female law school students includes an ample amount of professional associations including “The Parents in Law Student Association, the Student Parent Alliance, Parents attending Law School, The American Bar Association (ABA) Commission on Women in the Profession, The AAJ’s women Trial Lawyers
Caucus, Corporate Counsel of Women of Color, National Association of Minority and Women Owned Law Firms (NAMWOLF), National Association of Women Lawyers (NAWL), Young Women in Law (YWLN), and many more” (Farzad & Ochoa Family Law Attorneys, 2020). The groups provide the best opportunity for students to network and receive invaluable advice, wisdom, and tips from other women who have experience in a field that they themselves are pursuing. One of the most effective approaches to sustaining proper assistance for the challenges of law school is creating professional networks as indicated previously, “For attorney Evangeline M. Mitchell, founder and executive director of National Pre-Law Diversity Initiatives Inc., the vital supports begin with college students who have an interest in the law. Every year, the organization hosts information-sharing and networking empowerment events, such as the National Black Pre-Law Conference, at which attendees receive information about law school admissions, financial aid, standardized tests, and academic preparation… We share the honest realities of the additional challenges and difficulties that Black law students face as a result of being Black in predominantly white law school environments,” says Mitchell. “We let students know what to expect — low expectations, being excluded from study groups and social events — and provide tangible coping strategies and advice on how to push through and be excellent despite the bias, microaggressions and daily insults” (Elfman, 2020). The National Pre-Law Initiatives Incorporated brings profit to attendees by going beyond the scope of providing amicable relationships, law school admissions tips, and professional expertise. The transparency given during these annual conference sessions is what provides Black law students a way to manage the transition from their undergraduate careers to a professional legal one. Due to having this exclusive insight and support for navigating through the difficulties of law school, Black law
students will have the knowledge, skills, traits, and personal characteristics that are needed to provide stellar quality in their fulfillment of a Juris Doctorate.

**Obstacles and Barriers**

A lack of equity has persisted over time in modern education with educational social determinants such as school attendance zones, the act of redlining, and school choice lottery processes for enrollment. One such example would be school district locators that enable specific geographic areas that a school district uses to determine which children are able to attend the school within the zone they reside in. This creates an unfair advantage for students’ who live in an area with schools that are faced with poor funding and fewer opportunities to succeed which gives rise to a significant problem, “Zip code should not determine a student’s access to a quality education that will prepare them for a college and a career” (Woo, 2015). To follow this example, the act of redlining is also responsible for the systematized denial of resources to minoritized and impoverished communities. The amount of funding a school receives is based on the school’s geographic location and typically higher-quality schools are funded more money and resources for their students. Families take the several types of school districts in their area into consideration upon becoming home owners in those areas, but “families trying to buy a home who are victims of the redlining technique can’t buy homes in the preferred areas, so they are forced to go to low-quality schools” (Clover, 2020). Similarly, the concept of charter schools has not helped to create equity through education as per the fact that a system is created for principals and deans of charter schools to choose which students are the most desirable applicants. This system consists of a lottery process, and often requires intensive interviews that will determine if students are deemed fit to meet the standards of a charter school or other public school. Due to enrollment in schools being based on lotteries, this indicates that children are
given random opportunities and chances to success. As a result, children are forced to go to schools elsewhere if they are not chosen in the lottery process which takes away the student and their parent’s freedom in choosing a school that is the best fit for them.

The historical timeline exemplifies how the problem has changed over time in a way that statistics reflect as low graduation rates for Black college students, low representation of African American students at various institution types, and low retention rates of Black students. Accountability and awareness have been two key facets that have helped to address the issue of various educational disparities experienced by African American students in the past. An example of a specific action that has produced change and helped meet the educational needs for Students of Color is the creation of Historically Black colleges and universities (HBCUs). HBCUs have proven successful and demonstrate the importance of providing academic programs of quality and accreditation to African American students, HBCUs have trained three-fourths of all African Americans with doctorate degrees, three-fourths of all African Americans in the armed forces, and four-fifths of all African American judges and are leading in conferring baccalaureate degrees to African Americans in science, technology, engineering, and math (U.S Department of Education, 1991). HBCUs have helped to produce many African American graduates who have prevailed in establishing profound contributions in the work sector and to the greater public, “Five of the nation’s 50 highest-ranked law schools have more than 100 black students. They are Georgetown, George Washington, Harvard, Columbia, and Fordham. At each of these large law schools, black women make up more than 53 percent of the African-American study body. Black women earn nearly two thirds of all bachelor’s degrees in the United States which results in a larger pool of black women versus black men who have the option of entering law school. Furthermore, some surveys have shown that upwards of 80 percent of all students on
the honor roll at the nation’s historically black colleges and universities are women. Therefore, black women appear more likely than black men to be achieving the high-grade point averages in their undergraduate years that will enable them to qualify for admission to law school” (The JBHE Foundation Incorporated, 2000). This hurdle that men of color must face to become competitive candidates for admission can be ameliorated by access to resources, mentorship, and a proper holistic scan of their entire application package. Until this consideration is taken into effect, men of color will continue to face hindrances in their journey of becoming admitted to their law school of choice. One should be aware of the particular caveat mentioned above because it fails to account for the harsh reality that persists for Women of Color. The ABA’s initiative on Achieving Long-Term Careers released its second national study in 2020: Left Out and Left Behind: The Hurdles, Hassles, and Heartaches of Achieving Long-Term Legal Careers for Women of Color in which 103 self-identified women of color who were practicing law, or employed in legal-related positions were asked a series of questions to give rise to detailed narratives of their experiences as women of color practicing law. The study addresses the gap of a discussion that details an account of what being a woman lawyer of color entails including “the general experience of practicing law; how work, family, and personal dynamics influence career trajectories; the barriers that women of color confront not simply on an occasional basis but throughout their careers, even after achieving a level of success; and the factors that either drive women of color out of the profession or encourage them to stay…. This study and previous research make clear that the legal profession continues to fail at retaining women of color due to stubborn barriers in advancement that result both from the traditional requirements of success in legal practice, as well as an exclusive professional culture that continues to reflect a narrow set
of norms, assumptions, and expectations at odds with an increasingly diverse world” (Peery et al., 2020).

**Contributing Factors that Address the Achievement Gap**

Studies have considered environments in which African American children have been raised that were not lucrative in their development. These environmental challenges have endured as a result of historical trauma from racism, poverty, and toxic stress, “The interface between racism/classism and attendant economic and social disadvantages is the key to understanding the underachievement of African American children” (Bowman et al., 2018). The psychological and physiological health of African Americans have been significantly impacted as a result from the effects of interpersonal and institutional racism. These changes in health can be seen in the reactions to transgenerational trauma that African Americans may experience through “self-doubt and powerlessness, others denying their culture and language to avoid rejection, and still others responding with rage or detachment. While many of these responses may seem nonfunctional, they are designed to protect children from the prejudice and discrimination encountered by most African Americans with appalling frequency” (Bowman et al., 2018).

A generational lack of wealth in African American communities equates to inadequate levels of resources needed for the community to flourish. Poverty rates among African Americans are considerably high and these economic disadvantages can be calamitous, “Children from poor and also less-poor African American families tend to reside in segregated, underserved neighborhoods, thus concentrating and reinforcing poverty’s effects” (W.K. Kellogg Foundation 2014). Impoverished African American communities whom have become accustomed to toxic environments in their early upbringing have exposure to circumstances that
have impeded their developmental potential. The coping mechanisms to these adverse situations that developed over time have only been seen as negative adaptive strategies in adulthood, “African American children are often criticized for passivity, limited oral responsiveness, and disengagement” (Labov 1972). The foundation required to break the cycle of these maladaptive strategies is established in high school where students begin to explore the career paths that they will later pursue in their collegiate careers. Consequently, the pipeline must begin promptly at this critical time, if not earlier, to mitigate knowledge gaps that exist between students who are first-generation versus those who have more pre-law exposure. A study from the Association of American Law Schools (AALS) surveyed thousands of prospective students about when they first began to consider law school, “More than half of law students report they first considered going to law school before they reached college. Slightly more than one-third of the students first thought about it before high school” (Association of American Law Schools, 2020). Following this data, the dean of admissions at Georgetown Law created the Early Outreach Initiative that seeks to provide a pipeline where aspirations and intentions to go to college start to develop, “If we want a more diverse legal profession, we need more diverse law schools,” remarks Dean Cornblatt. “But if we want more diverse law schools, we need a more diverse applicant pool. Reaching out early to high schoolers can help get us there” (Cornblatt, 2020). The battle to address contributing factors that directly widen the achievement gap extends further into the pre-law journey for students as they begin to prepare for the Law School Admissions Test (LSAT), a Journal of Law and Feminism published at Yale Law School found that sources of potential LSAT test bias is derived from forms of stereotype threat, speediness, subject matter selection and item bias. Furthermore, the practical consequences of LSAT misuses can be found in the
admissions process, financial aid allocation, employment decisions, and school funding (Kidder, 2000).

**Current Research**

Studies concerning the minority perceptions of law school have been analyzed in concordance with the experiences that African American students have in their exposure to the legal practice. Observations, conversations with current law students and practicing attorneys, and accessible literature have been considered while conducting studies to gather more information into how the exposure to law school affects African Americans (Virginia, 1989). A few protective factors that enhance the legal studies experience include strong social supports, positive mental/physical/emotional health, intrinsic motivation, community and civic engagement, and positive adult mentors. Risk factors within the African American community that might impede on their ability to excel include negative values/attitudes/beliefs, poverty, family distress, racism, lack of social/recreational and cultural services which is why defensive strategies should be more prominent. Affirmative Action can demonstrate one way that has ameliorated specific risk factors that halt progress in the African American communities’ pathway to success in education. Affirmative Action and increasing both diversity and inclusion in higher education has been essential to addressing the African American Achievement Gap, “The Obama Administration recognizes both the tremendous value of increased diversity in higher education, and the role of higher education as a keystone to health, happiness, and economic mobility for all students, including low-income students and students of color. Diverse and inclusive environments at colleges and universities also strengthen American democracy by facilitating the exchange of perspectives and values among students from various ethnic, cultural, and economic backgrounds” (U.S. Department of Education, 2016). The legal education paves
the way towards having a career in a variety of different work sectors including politics, education, corporate-business, information science, law-enforcement, consulting, banking, sports-management, healthcare, technology, real-estate and more. Some may even use their Juris Doctorate degree to pursue governmental positions, “our nation’s government has historically been dominated by lawyers: 59 percent of U.S. presidents, 68 percent of vice presidents, 63 percent of cabinet positions, 78 percent of secretaries of state, 100 percent of attorneys general, and 100 percent of Supreme Court justices. In addition, more than half of all members of Congress, charged with enacting laws that impact every member of our society, have attended law school. Clearly, law schools have an outsized role in opening doors and educating people who will write, interpret, and enforce the rules that govern our society. It is no surprise that a Gallup survey conducted for the Association of American Law Schools found that 44 percent of undergraduate students aspiring to attend law school cited a “pathway for career in politics, government or public service,” as one of their reasons for considering law school (Arreaga et al., 2020). Several initiatives including legal fellowships and competitive cohorts aim to promote the exchange of perspectives and values among students. These initiatives maximize the purpose of creating a sense of unification and developing supportive measures for students who are in financial need or are a part of an underrepresented minority. A notable mention of these characteristics has been observed and fulfilled in the PreProBono Fellowship and the Sidley Prelaw Scholars Program. The history of PreProBono demonstrates a strong commitment to understanding the role of socioeconomic status in law school admissions and using such data to inform the most effective ways to mitigate inequities in the process, “More than 82% of the student population come from the top 25% of the socioeconomic spectrum. Only 5% of the student population come from the bottom half of the socioeconomic spectrum. These disparities
do not reflect a lack of passion or ability, but a lack of access and opportunity” (Sander, 2011). Diversity manager and former recruiter from Arizona Summit Law School, Kendra Abercrombie, disclosed that her role in law school admissions consistently demonstrated a disconnect between what students of color knew about the admissions process compared to their white counterparts. Abercrombie was convinced that “many Black applicants lacked awareness of or access to resources that help with LSAT prep or the choice of a school. Helping to fill this access-to-information gap is a first step in addressing these challenges” (Kanu, 2021). The PreProBono fellowship has been a direct catalyst for providing opportunities that produce access to more professional and personal resources, LSAT prep, and workshops aimed to raise awareness on conceptual pre-law discussions for minoritized students. Furthermore, the PreProBono Fellowship has assisted fellows in obtaining ample scholarship funds, improving their percentile range of their LSAT score, and providing the tools needed to score among the top-ranking scores LSAT test takers achieved.

Chapter 3: Methodology

Research Design

The proposed exploratory study utilizes a cross-sectional interview process to gather qualitative descriptive research. This was done in efforts to understand the lived experiences of African American students attending the Moritz College of Law. Primary data was solely collected from interviews through zoom using an interview guide with several open and close-ended questions. This design was utilized in order to conduct a brief examination of participants of different ages, academic years, genders, social and financial backgrounds. The interview consisted of 5 broad sections including childhood and adolescent experiences that shaped the participant’s educational pursuits before their formative college years, significant experiences in
the participant’s higher education duration, participant’s reasoning and motivation for going to law school, participant’s unique daily challenges and lived experiences prior to and during COVID, and what participants’ look forward to the most upon finishing law school.

**Participants**

Participants in the study were limited to individuals who identify themselves as underrepresented minorities within the African American community. The inclusion criteria for participants required them to be the attending Moritz College of Law, one of the nine law schools that exist in Ohio. All 12 participants were adults over the age of 22 that represented various class profiles, age ranges, and regions in which they were located prior to applying to the law school. The majority of participants were students in their second year of law school but data derived from the 2023 entering class profile will reveal the most current data, this class consists of “523 students in which approximately 48 percent are woman and close to 7 percent are students of color, the average LSAT score is 159, and the median undergraduate GPA is 3.61” (Ebadolahi, 2020). The variability in this sample of students permitted a combination of non-probability, purposive, and convenience sampling approach.

**Participant Recruitment Procedures**

Members of the Undergraduate Black Law Student Association at Ohio State and the Black Law Student Association at the Moritz College of Law were contacted with the intent to inquire about their interest in the study. The two associations were able to post the recruitment script (which includes details about the research, inclusion criteria, and contact information of the Principal Investigator) online through communication apps like Microsoft Outlook and other listserv, GroupMe, Facebook and social media platforms. The participants who were interested in the research contacted the principal investigator (PI) through email in order to make an appointment
for virtual interviews through zoom. All interviews were recorded upon the permission of the participants and lasted approximately 60-90 minutes. The participants received a reminder from Outlook calendar at least one week prior to the interview.

Table 1. Demographic Characteristics

<table>
<thead>
<tr>
<th>Demographic Variables</th>
<th>Total (N = 12)</th>
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</thead>
<tbody>
<tr>
<td>Age</td>
<td>Median Age: 24 Years Old</td>
</tr>
<tr>
<td>Race</td>
<td>12 African American Participants</td>
</tr>
<tr>
<td>Sex Assigned at Birth</td>
<td>8 Female Participants</td>
</tr>
<tr>
<td></td>
<td>4 Male Participants</td>
</tr>
<tr>
<td>Rank</td>
<td>4 First Year Participants (1L’s)</td>
</tr>
<tr>
<td></td>
<td>6 Second Year Participants (2L’s)</td>
</tr>
<tr>
<td></td>
<td>2 Third Year Participants (3L’s)</td>
</tr>
<tr>
<td>Pseudonyms</td>
<td>Lane</td>
</tr>
<tr>
<td></td>
<td>Carter</td>
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<tr>
<td></td>
<td>Marsh</td>
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<td>Moore</td>
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<td></td>
<td>Montgomery</td>
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<td>Duncan</td>
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<td>Caldwell</td>
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<td>Briggs</td>
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<td>Hudson</td>
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<tr>
<td></td>
<td>Gardner</td>
</tr>
<tr>
<td></td>
<td>Sharpe</td>
</tr>
<tr>
<td></td>
<td>Shepherd</td>
</tr>
</tbody>
</table>
**Data Collection Procedures**

The Office of Responsible Research Practices reviewed and approved the study under expedited review (ID: 2021E1102). An informed consent statement was provided to every participant via email to read immediately following their expressed interest in the study. Participants were notified and given contact information via email so they had the opportunity to contact the research team to clarify anything presented in the informed consent statement. Interview questions were also administered to participants prior to the interview so they could have the option to prepare for their responses beforehand. Individuals who wished to proceed were able to access a Calendly link to efficiently schedule a meeting based on availability and preference. Upon scheduling through the link, the date and time was automatically confirmed and added to the participant’s Outlook calendar. Data was offered to be collected using a combination of in-person interviews, virtual interviews through zoom or telephone interviews to satisfy the participant’s general preference, however, all participants chose to partake in an interview through zoom. At the beginning of each interview, participants were asked if they consented to be recorded and consent to participate, they were notified that only the PI would have access to participant identifying data and recording files. Participants were informed that the information they provide during the interview will remain confidential and no identifying information about them will be used in the documents that emerge from the research. Throughout the course of the study, participants were encouraged multiple times to contact the PI with any questions related to any aspect of the study including the status and results of the study. Participants were also notified of their right to withdraw from the study at any time, including after their recorded interview is completed, if the participant chooses to do so. Each participant was given a participant ID through a pseudonym that was randomly assigned by the PI.
Measures

Construct validity and interviewee reactions were investigated for 4 types of interview questions: basic interview questions, weakness questions, contribution questions, and abstract questions. Basic information questions were used to encourage participants to summarize their interests, education, and basic profile details at the beginning and end of the interview process. Follow-up questions categorized as weakness questions arose in a few interviews, participants recalled their abilities as a law student and the skills they want to improve. Follow-up questions categorized as contribution questions also arose in a few interviews, some participants were able to highlight what they look forward to contributing to the legal profession. Lastly, abstract questions were used to have participants begin to ponder questions that may have not been considered before. Participants had greater cognitive reactions for abstract questions that required more thought and time to consider. Measuring constructs in order to create an empirical assessment requires construct validity so that the results obtained from the use of the measure will reflect the theories in which the assessment was originally designed.

Data analysis

In order to analyze the qualitative research, the study will use thematic and descriptive analysis. This will then indicate themes that the participants are sensible of as a whole. Descriptive analyses will be conducted in order to encapsulate the demographic characteristics of the participants involved in the study. These characteristics include age, race, family structure, and personal experiences prior to the period of data collection. In addition to utilizing attribute coding, analysis will also employ in vivo coding, value coding, and narrative coding processes.
Table 2. Constructs and Measures

<table>
<thead>
<tr>
<th>Construct</th>
<th>Definition</th>
<th>Data Source</th>
<th>Measure Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Childhood and adolescent experiences</td>
<td>Events and circumstances that shaped the participant’s educational pursuits before their formative college years</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Open-ended responses from participants</td>
</tr>
<tr>
<td>Lived experiences</td>
<td>Participants’ will discuss their unique experiences in law school prior to COVID and during COVID</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Open-ended responses from participants</td>
</tr>
<tr>
<td>Needs and challenges</td>
<td>Participants’ will discuss difficulties they encountered during their law school experience and what is necessary to improve these challenges for future students who attend Moritz</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Open-ended responses from participants</td>
</tr>
<tr>
<td>Motivations and aspirations</td>
<td>Participants will discuss what drove them to go to law school, what pushes them to persevere through the adversity they face on an everyday basis and what they look forward to the most upon receiving their Juris Doctorate Degree</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Open-ended responses from participants</td>
</tr>
<tr>
<td>Underrepresentation</td>
<td>Participants will give insight on why they think African American students are underrepresented in the legal discipline and how it makes them feel to be a part of the minority</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Open-ended responses from participants</td>
</tr>
<tr>
<td>---------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-----------------------------------------------------------------</td>
<td>----------------------------------------</td>
</tr>
<tr>
<td>Demographics of Participants featured in the study</td>
<td>Descriptive statistics methods used to gather detailed information about the background of the participants</td>
<td>In person interviews, virtual interviews through zoom, telephone interviews with participants</td>
<td>Nominal variables that are measured such as gender, ethnicity, race, what the participant’s undergraduate degree is in Ratio variables such as age, number of years in law school, etc.</td>
</tr>
</tbody>
</table>

**Research Questions**

Prior to administering questions for the interview process, four primary research questions were created to guide the development of the study. The four research questions asked were as follows: 1) What are the conditions in which African American students have endured in their journey to arrive at the Moritz College of Law including the experiences of common welfare experienced by African American students as compared to their non-African American counterparts? 2) What are the social determinants that persist in African American communities that directly affect students of color whom are interested in obtaining their Juris Doctorate Degree? 3) What are the contributing factors that address the Achievement Gap? 4) What are the potential barriers, concerns, frustrations, educational disparities, and hardships that African American students encounter in their younger years before college?
See Appendix A: Interview Guide

**Instrument Description**

The data was analyzed and measured through semi-structured interviews. An informed consent form was given to all participants to read prior to the start of the interview. The PI was able to answer any questions about the participant’s rights as well as the purpose of the study. An interview guide was used to facilitate the conversation using questions that evoke thoughtful discussion. The interviews were conducted in a safe, comfortable environment that is accessible for all participants during their time slots. The interview questions were created with immense consideration for the data collected in the literature review. The interview questions prompted the participant to consider how their experiences have shaped their educational pursuits. The results of the study will be primary data as it is new material in assessing the circumstances of African American students at the Moritz College of Law.

**Chapter 4: Results**

A total of 17 students were invited to interview, but five students did not respond to schedule an interview. A total of 12 participants were interviewed in interviews that lasted between 40-60 minutes. One participant was contacted through a follow up conversation after offering to send an introductory email to participants that would be eligible for the study. Following completion of 12 interviews, interview recordings were uploaded to a professional transcription website and transcribed verbatim. The transcripts were printed out, high-lighted and color-coded to identify various identified themes. The data reduction process allowed four total rounds of coding in which several categories were revealed. The average participant was a first-generation law school student whom attended college in a different city or state for their undergraduate degree.
before arriving at Moritz. First cycle coding revealed a total of 34 codes that were organized in 7
categories:

Table 3. Codes and Categories

<table>
<thead>
<tr>
<th>Categories</th>
<th>Codes (some repeated)</th>
</tr>
</thead>
</table>
| Prevalence of Mental Health Issues| • Imposter Syndrome  
• Childhood and Adolescent Experiences  
• Sense of Belonging (negative experience)  
• Depression  
• Anxiety |
| Prevalence of Consistent Daily Routines| • Self-Care Regimen  
• Spiritual Care  
• Exercise  
• Reserved Weekends  
• Readings before 10 pm  
• Extracurricular Activities  
• Office Hours  
• (In)formal Social Gatherings |
| Social Support                    | • “My brother’s a lawyer. My uncle is a lawyer and I have a cousin that just started law school too” in vivo code  
• “I didn’t have any lawyers in my family. I didn’t even have anyone who I knew that went to college so I did a lot of learning by myself” in vivo code  
• Support from parents, family members  
• Support from friends, significant others  
• Creating community through BLSA |
| Childhood and Adolescent Experiences| • Being the Minority  
• Classism  
• Racism  
• Challenges from Social Determinants |
| Challenges from Social Determinants | ● Classism  
● Racism  
● Less Educational Resources  
● Discriminatory Practices Observed |
|-------------------------------|----------------------------------|
| Impact of COVID-19 | ● “COVID took away the lawyer’s ball and I was really looking forward to it” in vivo code  
● “Isolation was hard for me. Ohio State shut everything down so sudden. I don’t think any of us could have expected it” in vivo code  
● “I had a few family members that had COVID during my second year of law school, I was really worried about their health but tried to focus on school” in vivo code |
| Resistance and Resilience | ● Being the Minority  
● “I’m one of six Black men in my whole class” in vivo code  
● “Being a minority in the profession is really difficult. Orientation is really difficult. Seeing our entire class of 180 people together and only like 12 of us are Black. 12 of us; that’s all we’ll have for the rest of the three years” in vivo code |
| Motivation to Pursue a Legal Career | ● “I am a financial backbone for my family. I am getting groomed for a position to [take care of my siblings, my kids, and more]” in vivo code  
● “I want to pour into people like me” in vivo code  
● “Someday, there will be a little girl that wants to be an attorney and I want to be able to mentor her” in vivo code |
### Theme 1: Barriers to Wellbeing

<table>
<thead>
<tr>
<th>Institutional Barriers</th>
<th>Internalized Barriers</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Generation Law Students</td>
<td>Prevalence of Mental Health Issues</td>
</tr>
<tr>
<td>Impact of COVID</td>
<td>Imposter Syndrome</td>
</tr>
<tr>
<td>Being the Minority</td>
<td>Childhood and Adolescent Experiences</td>
</tr>
<tr>
<td>Challenges from Social Determinants</td>
<td>Sense of belonging (negative experience)</td>
</tr>
<tr>
<td>Discriminatory Practices Observed</td>
<td>Procrastination</td>
</tr>
<tr>
<td>Classism</td>
<td>Social Exclusion</td>
</tr>
<tr>
<td>Racism</td>
<td></td>
</tr>
</tbody>
</table>

### Theme 2: Facilitators to Wellbeing

<table>
<thead>
<tr>
<th>Prevalence of Consistent Daily Routines</th>
<th>Social Support</th>
</tr>
</thead>
<tbody>
<tr>
<td>Self-Care Regimen</td>
<td>Creating Community through BLSA</td>
</tr>
<tr>
<td>Exercise</td>
<td>Office Hours</td>
</tr>
<tr>
<td>Reserved Weekends</td>
<td>Sense of Belonging (positive experience)</td>
</tr>
<tr>
<td>Readings before 10 pm</td>
<td>(In)formal Social Gatherings</td>
</tr>
<tr>
<td>Readings in between classes</td>
<td>Support from parents and family members</td>
</tr>
<tr>
<td>Extracurricular Activities</td>
<td>Support from friends &amp; significant others</td>
</tr>
</tbody>
</table>
### Theme 3: Positive Aspects of Moritz Law School

<table>
<thead>
<tr>
<th>Positive Aspects</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Level of Representation in Admissions Office</td>
<td>Close interaction with classmates/faculty</td>
</tr>
<tr>
<td>Creating Community through BLSA</td>
<td>One on one attention</td>
</tr>
<tr>
<td>Office Hours</td>
<td>Academic support through designated mentors</td>
</tr>
<tr>
<td>Sense of Belonging (Positive Experience)</td>
<td>Access to some of Ohio State’s amenities</td>
</tr>
<tr>
<td>Close to home, close to family</td>
<td>Generous Scholarships</td>
</tr>
<tr>
<td>Students are not competitive with each other</td>
<td></td>
</tr>
</tbody>
</table>

### Theme 4: Solutions to Improve Diversity & Inclusion

<table>
<thead>
<tr>
<th>Evoking Structural Change</th>
<th>Ameliorate Financial Burdens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Increase Representation in the Legal Field</td>
<td>Curate more opportunities and resources, especially for first generation students</td>
</tr>
<tr>
<td>Increase Representation in the Admissions Office</td>
<td>Waive Law School Application Fees</td>
</tr>
<tr>
<td>Reduce intentional gate-keeping</td>
<td>Lower the Costs of LSAT materials</td>
</tr>
<tr>
<td>Admit more Black Students</td>
<td>Provide low-effort GRA positions in law school</td>
</tr>
<tr>
<td></td>
<td>Increase Financial Aid Eligibility for 1L</td>
</tr>
</tbody>
</table>
Theme 1: Barriers to Wellbeing

The law school experience is distinctly cultivated by challenges, however, there exists to be even more social and economic constraints that exerts influence on the type of journey a Black law student may have. All participants were asked to clarify a striking memory from a challenge faced in their law school experience and consider the impact that the experience had on them personally. The barriers that arose were classified as a theme, the challenges discussed during questioning were thus divided in two groups: institutional barriers and internalized barriers. Internalized barriers can be defined as any barrier that arise from patterns of behavioral or psychological symptoms such as anxiety, fear, depression, self-efficacy, procrastination, isolation, perfectionism, and more. American psychologists Pauline Rose Clance and Susanna Imes coined the term “Imposter Syndrome” in 1978 so that high achieving individuals could receive therapeutic interventions to cope and heal. Imposter Syndrome is a condition that happens to cooccur with other mental health phenomena and the symptoms that result from it, “while as many as 70% of Americans have experienced these feelings, known as impostor syndrome, research shows a racialized component that intensifies its impact on the mental health of Black individuals” (Maryville University, 2021). Several participants including Lane and Marsh offered insight on their experience with Imposter Syndrome. Lane provided a piece of advice to Black students that are considering Law:

*Don’t let Imposter Syndrome, your insecurities, your fears, or your anxieties convince you that you can’t complete law school, be an attorney and/or work in a law firm. Don’t*
let Imposter Syndrome convince you that you can’t be an integral part of whatever aspect of the legal environment you are interested in.

This advice was followed by Lane’s motivation in pursuing the legal field and also takeaways that resulted from participating in the interview. Lane expressed that the anticipation of “pouring into people like me” drives them towards a promising legal career. All participants were asked to define the most important thing that they learned about themselves from their interview. Lane described this lesson after thorough recollection of their law school journey up to this point as “I have been through a lot. It makes me feel good thinking that as I go back to work on my paper after this interview, I can do the work. I have done the work in way harsher environments, came back and I’m still here. I’m still going. I am going to remind myself that I am just as likely to be successful as anyone else.” As the prevalence of Imposter Syndrome continues to disproportionately prevail in the lives of Black Men and Women, Lane’s tip for combatting this phenomenon should be reckoned with. For anyone who struggles with Imposter Syndrome consider practicing positive self-talk, accepting that it is okay to make mistakes, celebrating Black achievements, and creating a list of accomplishments and attributes to refer back to during times of low self-efficacy. Lastly, consider seeking support resources through books, podcasts, and websites (Maryville University, 2021).

The direction that Marsh takes in their advice to Black students that want to pursue law alludes to a familiar slogan:

Just do it. I think that sometimes we as Students of Color get in our own way and feel like we’re not enough then Imposter Syndrome hits. We’re like our LSAT score is not high
enough. Our GPA is not high enough. We’re not impressive enough. But I would say just do it, apply to a million schools and really put yourself out there. Be vulnerable in your personal statement: be willing to tell your story and share your truth. I think that’s something Students of Color really need to hear.

Theme 2: Facilitators to Wellbeing

Throughout the duration of the interviews, Lane was particularly vulnerable with facets of their identity. Lane expressed the importance of finding therapeutic interventions and recommended counseling as a first source, “I have a Black therapist who understands me and I think finding someone close to the identities you hold is important” Those that hold multiple identities carry the weight of several responsibilities, deficiencies, and disparities. A therapist assists in untangling thoughts, emotions, feelings into a comprehensive itemization. Those that partake in therapeutic sessions will better understand this untangled mind metaphor and become active participants in their own healing.

Participants who utilized coping skills in their daily routine confessed that self-care strategies like spending time with friends and family, journaling, exercising, playing video games, cooking nutritious meals, meditating, and watching Netflix were extremely helpful in making law school manageable. Additionally, Duncan affirmed the importance of social support and community, “The Black Law Student Association (BLSA) has served as a network for Black Students to form close family-like relationships that support us through the difficulties of law school.” The Black Law Student Association was described by every participant as a fundamental staple for Black Students. Moore spoke fondly of their peers and stated “The BLSA lounge is my home away from home” Every participant acknowledged their gratitude for affinity
groups like BLSA and expressed how they became a source for networking with other students that have similar background and interests as them.

**Theme 3: Positive Aspects of Moritz Law School**

All participants that were interviewed examined their lived experience of COVID-19 during their law school journey. Lane revealed that having an extroverted personality was particularly difficult due to isolation and quarantine measures. Further, COVID-19 caused a hindrance in socialization not only for Lane but for their classmate Montgomery as well, “law school is very difficult without a good support system. You miss out on a lot of social interactions learning on zoom. There’s no opportunity to banter and chat with professors because you usually log right out after class” Montgomery believed that the interference of the pandemic however was safeguarded by caring professors and administration at Moritz on account of COVID having minimal negative impact on the legal opportunities available to students, “Moritz is on top of sending opportunities to students for jobs and externships even amidst the pandemic. I felt like this was an important factor for students that were struggling financially during COVID or even so just for those students that had a more difficult time with their post-grad job search because of COVID.” Montgomery adverted to their own personal experience and stated that COVID did not impact them personally because no law school student in their first year is able to partake in any legal or job opportunity outside of their classes.

All participants were asked to explain how they ended up choosing the professional graduate law school of the Ohio State University. For Duncan, the accreditation of the school they chose was a priority but other students expressed various factors behind their final decision.
Other participants mentioned that affordability, being in close proximity to family, having a sense of belonging on campus, and career outcomes drove them to enroll at Moritz. Carter not only valued all of these amenities but respected the fact that Moritz appeared to be the most distinct school in their search for diversification:

The admissions office at Moritz had the most representation out of all of the law schools I was admitted to. I showed up on admitted Students Day on zoom and there were five or six Black administrators out of nine or ten. That’s just not common. I wanted to attend a school that offered opportunities for Students of Color

Theme 4: Solutions to Improve Diversity & Inclusion

Narrative coding methods were utilized to enable participants to investigate routes to improve diversity, equity and inclusion. Carter had no idea that hiring an attorney would serve as a catalyst for indirectly fulfilling this goal. Carter described this encounter in detail:

My dad passed away this time last year and so I was navigating an estate process, right. Estate is such a loaded word. But for the Estate process I hired an attorney and what I loved about my interactions with him was how he made a stressful situation, less stressful because of his knowledge and because maybe more importantly, he listened to what I needed. He understood my goals and he made it happen. What was more important was that he knew what I expected and honored my wishes in that way. So that pushed me into considering estate planning and estate administration, just because of my lived
experience with that. It turned out to be a pretty fascinating experience. And I didn't think it would be interesting at all until I was experiencing it. I could do this summer program and have a completely different answer for you in six months. So, we'll see. But labor and employment or kind of the wills, trusts and estates kind of route is what I would consider as well, protecting Black folks and whatever amount of wealth we may have

In this statement; Carter structures the recollection of the experience through summary, orientation, complicating action, and coda. In doing so, a literary perspective is given to analyze. Carter’s perspective emphasizes the importance of creating space for professionals with expertise and genuine passion in specialization. The strength that lies in Carter’s professional interest is the unique intentionality to ameliorate the lives of clients in the future. Every law student will eventually become a part of the same cycle that an attorney has to become accustomed to and that is; using the power found in their lived experiences to educate and empower others.

Following this premise, diversity and equity can be improved by those that that have a particular status of consultancy. Consider the impression that Carter’s attorney made and how it ultimately helped shape Carter’s potential career interests. The scope of consultancy however preceding at the pre-law stage for Duncan. This stage is where prospective students begin campus visits and inquire about enrollment possibilities. Duncan provided advice for other prospective Black students that are in the initial stage of their pre-law journey. Duncan urges:

*Do your Research. Talk to other Black Students. Reach out to every Black Law Student Associations at the schools you’ll be applying to. People in admissions are there to sell*
you the school, they are in the position that they are in to talk good about the school and they might not want to give you the bad aspects of the school. In my experience meeting Black Admissions people, there’s a couple that have told me “even if you don’t come to my law school, I still want to see you go to law school”

The conversation represents the significance of unbiased practices in the admission offices of law schools. The ability of an admission officer offering support, encouragement, advice, and resources to Students of Color regardless of what school(s) they are interested in is admirable. Value coding methods were utilized after Duncan labeled values, attitudes and belief systems that were expressed in a conversation with the admissions officer. A grounded perspective of the admissions officer reveals the value of education in a broad sense. Meanwhile, Duncan valued the existence of honesty and vulnerability that came from the exchange.

They key to improving diversity, equity and inclusion starts with a thorough investigation of why African American students are underrepresented in law school. Briggs was asked to explore this question and give their insight:

*I think it all starts with K-12 education. Part of the reason why I made it to such a good school is because my parents were college graduates and so they were able to be really helpful in providing me access to different opportunities. So, I think it starts really young. There’s a lot that keeps people out of the door for law school: you have to disclose your criminal record so that may keep people from applying. Applying to law school is really expensive too, I spent about $700 on my entire application process and that isn’t even the*
most expensive starting amount because I didn’t pay for any LSAT prep stuff. Every school you apply to costs money. Even if you get a waiver, it costs money for LSAC to process your application for every school so it’s like $50 per school. They say 7 schools is a good amount to apply for, that alone costs $350. There’s just a lot of debt to take on for it to be a program where law schools typically do not provide any GRA positions to students in their first year. There’s a lot of gatekeeping to get here and I definitely think it is intentional. I think there is a lot of things around class and race that keep people out the door.

The crux of the matter as Briggs suggests is that there are several constraints that prevent the inclusion of Black students in the legal realm. Financial limitations play a prominent role in such constraints and heart-rending reports demonstrate this:

“First-generation lawyers and lawyers of color carry more student loan debt coming out of both their undergraduate and law degree programs than their white peers and this data point continues to increase” (Scott-Clayton & Li, 2022).

Marginalized communities witness rates of crippling debt at higher rates and struggle to cover the cost of loans. This grim reality became true for Steven Chung, a tax attorney that currently receives two kinds of government assistance and has $347,000 in student loan debt. The amount of his total loan debt exceeds the cost of the average price of a home in his state of residency. Sadly, his large debt is not surprising as there are many like him. Looking at the average cost of law school and rent in large cities like Seattle, full-time students will have to borrow at least
$80,000 annually to cover costs. After three years, law school debt can exceed $250,000. And assuming there is additional undergraduate debt of $50,000, the total debt can be $300,000. And will people like Steve get some form of loan forgiveness? The government doesn’t seem sympathetic to lawyers because they think all lawyers make obscene salaries. But even if he does, his IBR status and interest accrual could negate the benefit. For example, if $10,000 of his loans were forgiven as President Joe Biden proposed, it will not change things for him. His IBR payment is already zero so the partial loan forgiveness will not affect his loan payments. Also, his interest accrual will probably eat up the savings in a year or two. Steve went to law school so he wouldn’t have to worry about putting food on the table. Now he is living on food stamps and his career outlook is uncertain.

Chapter 5: Discussion

Pursuing a legal field that is dominated by white men from higher socio-economic groups can be challenging considering that exam material can sometimes rely on a classist, sexist structure. Briggs described this process, “In moments that you see this bad culture being passed on, it’s frustrating. I get that everyone is uncomfortable in situations where racism is displayed in cases but let’s not make light of this in the classroom. It’s not appropriate.” For Briggs, being a minority at Moritz presented tense conversations just as much as attending a predominantly white institution for their undergraduate career. Carter too faced such conversations and admitted to an internal struggle that involved not knowing when to refrain from voicing their opinion in the classroom. The ‘Black fatigue’ that results from having to dismantle white supremacy comes at a large expense; it erodes the physical and psychological health of Black people. Black fatigue is yet another constraint that contributes to negative connotations of career paths that involve
repeated variations of stress. Carter introduces these variations as having the capacity to dissuade a student of color from choosing the legal profession:

\[
\text{Folks don’t want to feed into a system [that has harmed people of color] and I get it but in a lot of ways I don’t either. I understand that if I’m not a part of changing it from the inside, then I’ve got somebody sitting next to me, who’s going to change it for the worse and I’ve got to combat that. I think the way the law functions in our country also deters people of color from being interested in it because it’s never meant anything good.}
\]

Carter’s perception of adhering to this particular moral responsibility is what Sociologist Dr. Tsedale M. Melaku encourages in her book, *You Don’t Look Like a Lawyer: Black Women and Systemic Gendered Racism*: “Part of creating change, Melaku says, calls for courageous, Black attorneys who are willing to face the challenges of elite law firms to make changes from within. “I tell [law students] I want them to go into those spaces,” Melaku says. “I want them to disrupt those spaces so they’ll be able to create more space for folks that look like them and folks that don’t look like them” (Melaku, 2019).

Ketanji Brown fulfilled this sentiment by becoming the first Black woman to serve as Associate Justice on the Supreme Court of the United States. Doing so, she was able to pave the way and become the exemplar of tenacity and brilliance for many aspiring law students of color. Theotis Robinson Jr. was one of these students. Robinson admitted being empathetic to becoming the first to accomplish a major milestone as he recalled being the first Black undergraduate student admitted to the University of Tennessee: It’s nice to be first, but you don’t want to be the last,” he said. “You want to see others to be able to follow in that pathway and to
achieve that level of service within our country and in her case, that service within our
government” (Ogbe, 2022).

Underscoring the major milestones observed in the study begins with paying homage to
those that paved the way for the participants. The seemingly inexorable nature of every
participant epitomizes the hardships that their ancestors once faced to be able to pay it forward.
Carter offered a glimpse of what helps them push through the adversity they experience:

Realizing the sacrifices that folks have made to get me here is huge. For example, my dad
would have been 80 on Monday. So, born in 1942; he grew up in a Jim Crow segregated
South, he never grew up with white folks. Like the civil rights act of 1964 was passed
when he was my age. He served in Vietnam, came back, whenever it was time for me to
graduate high school. An undergraduate degree is expensive but it became accessible to
me through his VA (Veterans Affairs) benefits, which was a sacrifice, to be in Vietnam
and to see the stuff he has and then to come back and make that sacrifice for me. Huge.
So, keeping all of that stuff in mind and his lived experience as a black male growing up
in West Virginia for crying out loud, that's a big deal you know, sort of compare that to
where I am and, you know, none of that would have been done without that sacrifice. It's
enough to, to sort of push through. And I think about that generally, there are so many
families and parents who have done those things for others and sort of on a broad scale,
that's also like helping me push through. Cause I'm like, not only did my dad do that, but
there are so many other folks that have done that for, for their kids, for their grandkids
and knowing that helps me push through [adversity]”
Further, a pattern of responses was revealed through conducting qualitative analysis. The following are quotes that feature the lessons that derived from the interview process for participants:

“This interview reminded me of my why”

“I may not have it all figured out but I am doing my best and that will be good enough”

“I think something that I have been learning about myself for a while now since I have been trying to be more involved and speak about my experiences is that I am willing to be vulnerable. I’m learning now that I am willing to share my story more freely than maybe I previously have been in my first year and in undergrad. I have been trying to be truthful as much as I can be”

“I need to start talking to my classmates more because I am always really stressed. I realize that every time I talk about this school. I just need to find some more outlets”

“I’m pretty damn resilient. I mean if you look at your life, actually zoom out and look at everything you’ve done then realize where you are at now... You’ll think that’s crazy. I cannot believe where I’m at and all things considered, it went smoothly. Granted there were bumps and obstacles but you’re here and you’re figuring it out. There’s growing pains and it’s challenging but you’re doing it. So, I would say resilience is probably the biggest thing that I learned through this interview”
“I’m more determined than I think I am. I know that I can buckle down and do it and I will, I will just get through it. I’m determined to finish and to finish well; to finish strong so that’s what I’m going to do”

“I have more confidence than I thought I did. I don’t consider myself a super competent person but law school helped with that”

Within these quotes, it is evident that most participants rediscovered the purpose that they are working towards. Correspondingly, participants reflected on the impact they have made thus far in their legal education or hope to achieve in their legal career in the near future. Further, these quotes demonstrate the significant of self-introspection. Overall, many participants seemed to leave the interview understanding more about themselves and considering new insights from question probes. Given this information, it is vital to continue deliberating and seek to identify the needs and challenges of African American Law Students, while also challenging law school administrative staff to provide as many support services as needed.

**Limitations**

This study’s limitations include the lack of universal sampling that resulted from the strict use of purposive and snowball sampling methods. This study intended to collect comprehensive data from a specific minority group, African American law students. This study was also limited due to the lack of consideration of different ethnic subgroups within the minoritized community at Moritz College of Law. This restriction ultimately indicates that the study did not fully encapsulate racial and ethnic minority representation at the Moritz College of Law. The purpose of this qualitative research was to hone in on one law school, rather than
analyze the experience of Black Law Students from multiple law schools. Another limitation of the study resulted from a deficiency noted in the interview guide. The first few participants were interviewed that were conducted that did not give thought to several demographic questions that could have benefited the core of the study. Upon noticing this deficiency within the interview guide, it registered that it was not possible to ask the first few participants the questions that arose in later interviews without amending the IRB (Institutional Review Board) proposal. Additionally, there is a possibility that participants may have refrained from disclosing certain personal information and thoughts. In-person interviews sometimes offer a more personable experience that in turn lead to more engaged, profitable conversations.

**Strengths**

Qualitative research gives a researcher the ability to change the order of the questions throughout the duration of an interview. This allows the researcher to explore more in an area where the participant may have omitted certain information that is pertinent to the study. However, the focus of the study never wavered during any of the interviews that were conducted. My involvement with the Undergraduate Black Law Student Association at Ohio State and other Pre-Law programs aided in recruitment efforts. Utilizing snowball sampling techniques was very effective and many participants willingly offered to tell their classmates about participating in the study. Faculty and staff from the College of Social Work also assisted in recruiting students that were deemed to be eligible for the study. My vehement interest in pursuing a legal career myself propelled me to ask great follow up questions for clarification. This interest allowed me to engage in genuine conversation with students in which I have a vested curiosity to become conscious of their law school journey.
Chapter 6: Conclusions

Implications

Implications of these findings can be utilized while changing the culture surrounding Black Law Student wellbeing and policy within the legal profession. Such implications were briefly noted in several studies, reports, and discussions. In particular; a task force created a list of recommendations for stakeholders such as judges, regulators, law firms, law schools, bar associations, professional liability carriers and lawyer assistance programs were urged to change the culture and discussion surrounding attorney wellbeing. The recommendations can be transferable to law school students when there it intent to transform the culture of their experience. The recommendations from the task force focus on five central themes: “(1) Identify stakeholders and the role each of them can play in reducing the level of toxicity in the legal profession, (2) Eliminate the stigma associated with help-seeking behaviors; (3) Emphasize that well-being is an indispensable part of a lawyer’s duty of competence; (4) Educate lawyers, judges and law students on lawyer well-being issues; (5) Take small, incremental steps to change how law is practiced and how lawyers are regulated to instill greater well-being in the profession” (American Bar Association, 2017).

Recommendations

Stakeholders are adjured once more to use their position of prominence to make the legal sector more conducive to Black Law Students and Attorneys of Color. The results of the present study add to the very scant literature that currently exists on students of color pursuing a law career. The data conducted from various studies, reports, and discussions reveal that law schools have progressively failed at making greater efforts to retain students of color. At long last, the results of the study may reiterate that the time for the legal sector to transform policies and
practices is far overdue. There is a dire commitment that must be maintained when re-envisioning the culture and experience of the journey a student of color takes to obtain a Juris Doctorate. Implementing an intersectional approach will ensure that people of color will be complacent in inclusive spaces that consider their unique needs and priorities. A consistent finding from the present study and past research also elucidates the need for students of color to obtain professional mentors and sponsorship opportunities. Professional mentors and sponsors that have the potential to influence, advocate, and train are vital to the evolution of the legal profession for students of color.

A previous publication by a first-generation legal professional also offered suggestions on how to address the lack of substantial progress for people of color in the path to obtaining space in political office, judicial bench and law firms. The findings signify that law schools are at the forefront of enacting institutional changes to rectify the historical account of oppression that has occurred far too long. The recommendations set forth in the publication advise law schools to start by doing the following: “(1) admit more students of color and first-generation professionals; (2) hire law school professors from diverse racial, ethnic, and socio-economic backgrounds; (3) empower more women of color to become deans and support them once they are in these roles; (4) ensure that the law school curriculum requires students to learn about how the legal system has promoted inequality and racism; (5) participate in the antiracist work of the Law Deans Antiracist Clearinghouse Project. The antiracist work involves five phases: listening, learning, leading, audit reporting, and iterative; (6) establish programs committed to diversifying the legal profession to provide aspiring law school applicants from diverse socio-economic backgrounds the tools and knowledge to help them successfully become law students; (7) Reimagine the admission process by eliminating the LSAT as an application requirement” (Arreaga et al.,
A concentration towards a few of these recommendations have already been implied and discussed from the aforementioned assessments of the present study.

**Research**

Insight from further collaborative conversations about the difference in the law school experience for those that resemble various overlapping identities are needed. This intersectional perspective considers these overlapping identities, traits, and roles first before attempting to comprehend the levels of prejudice faced in each experience, “with this understanding comes a number of actionable steps for renewing the country’s commitment to postsecondary opportunity for African-American students, including targeting early awareness and college readiness outreach efforts; ensuring sufficient aid through the Pell Grant and other financial aid programs; increasing funding for institutions serving these students, particularly historically underfunded minority-serving institutions and community colleges; enhancing academic and social support programs linked to improved classroom learning; and better understanding of these students and their experiences so that interventions can be developed to help them persist to a degree” (Institute for Higher Education Policy, 2010). An example of specific discussions to delve into will begin with trying to gauge an accurate report of lawyers with disabilities, lawyers that are mothers, lawyers that are fathers, lawyers that are married, lawyers that belonged to a household of lower socioeconomic status growing up, lawyers that practice at an associate level, lawyers that practice at a partner level, and lawyers that are considered first generation versus those who are not. The list of possible identities, traits, and roles should consider as many intersections as possible and should be separated by race, gender, religion, sexuality, and any other factors that help to expand the results of the discussion even further. The discussion should aim to understand the intersection in which one or more of the identities that one holds in hopes to
discover the kind of support services that will enhance an individual’s progression in their legal career. Correspondingly, similar discussions should be thoughtfully investigated when examining the experience of law students because the amount of reports for data detailing the experiences of students of color and the intersections they represent is scant. Both national and local reports should be updated every year to highlight various types of representation in the pre-law and professional legal sector. The National Association for Law Placement Incorporated (NALP) fulfills part of this objective by analyzing reports of non-traditional track/staff attorneys, summer associates, lawyers with disabilities, LGBTQ lawyers, and lawyers who are military veterans, “non-traditional track/staff attorneys are the only attorney positions in which women were the majority in 2021, with women making up nearly 56% of lawyers in this category” (Taylor & Leipold, 2022). This data could be even more comprehensive if the term “non-traditional” was further defined to avoid the fallacy of equivocation. Any non-traditional student or staff attorney would classify as such on the sole basis of not conforming to traditional standards. The traditional standards however are not clearly defined either since law students of all backgrounds are purportedly admitted based on a holistic approach. For this reason, ambiguous stratification in research should be limited and opposed. Consider the percentage gap that exists among lawyers in various district and local regions to narrow ambiguity in significant findings of diversity reports, “there are wide geographic disparities in these numbers, and in fact about 55% of the reported LGBT lawyers are accounted for by just four cities: New York City, Washington, DC, Los Angeles, and San Francisco” (Collins & Leipold, 2019). This finding may suggest the importance of gathering evidence that supports the investigation of intersections, but the geographical locus in which legal professionals reside as well.
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Appendix A. Interview Questions

Interview Questions and Respondents

Hello, my name is Nahla Walker and I am a fourth year Honors Student at The Ohio State University. You identified yourself as being willing to participate in a research study concerning the lived experiences of Black Law Student attending the Moritz College of Law. This interview will take approximately 45 minutes up to an hour of your time and will ask you to comment on your direct experience with any challenges or obstacles that you may have faced up to this point. Participation is voluntary, and you can choose to not answer any question that you do not want to answer, and you can stop at any time. May I record audio for this interview? If not, I will be documenting all of your answers by hand – is that all right with you?

Demographics

1) Tell me about yourself. What year in school are you in at Moritz? What brought you to Ohio State?

2) Would you mind giving me your age and whether or not you’re currently working full time or part time?

3) What was your undergraduate Degree in? Do you feel what you majored in helped prepare you for law school?

Questions about motivations and aspirations that drove them to attend Moritz

4) What was your favorite thing about your first year in the Moritz College of Law?

5) What drove you to apply to law school?
Questions about challenges during their law school experience

6) What was it like for you to enter law school during the rise of COVID?

7) Did COVID take away any opportunities that could have been crucial to your development at Moritz? Any legal opportunities? Externships?

8) What’s your typical routine like?

9) Can you talk about the most striking memory from a challenge you encountered in your law school experience?

What was the overall impact of this experience on you? How long did this situation persist?

How did you handle this challenge? Are there any other approaches that work best for you in managing stress and overwhelming workloads? How often do you utilize this approach?

Currently African American students represent no more than 25 percent of the incoming class of 2020 at Moritz. This highlights the underrepresentation that will soon later become gaps in equities within the legal profession for attorneys of color. I’m curious to know your thoughts on this.

10) Why do you think African American students are underrepresented in law school?

11) How does it make you feel to be a part of the minority at Moritz?

12) What pushes you to preserve through the adversity you experience on an everyday basis?

13) What do you think is necessary to improve diversity and inclusion at Moritz and in the legal profession?

14) If you had one piece of advice to give another African American student who is considering applying to law school, what would it be?
Next, I’d like to talk about your career interests and professional goals.

15) Do you know what area of law you plan to go into?

16) What are you most looking forward to in your legal career?

17) What was the most important thing you learned from this interview process about yourself?

18) Is there anything else you’d like to add?

List of interviewees

The following is a list of pseudonyms given to individuals that were interviewed:

- Lane
- Carter
- Marsh
- Moore
- Montgomery
- Duncan
- Caldwell
- Briggs
- Hudson
- Gardner
- Sharpe
- Shepherd