

Are Young Women Turning Their Backs on Law School?

By Ann Farmer

Editor's note: Despite a surge in law school applicants during this recession, the number of women applying to law school continues to lag behind men. However, the data show dips and increases, including increases at some schools where women traditionally have not been as prevalent. Admission officers most knowledgeable about the issue highlight ways in which the profession can again encourage women's enrollment, including strengthening the pipeline and focusing on admission practices.

The Law School Admission Council (LSAC) cannot report with certainty which year it was that the number of female law school applicants first surpassed the number of male applicants. Its data collection methods changed significantly a decade ago. But the statisticians who track the number of applicants to American Bar Association–approved law schools—distinguishing them by race and gender—can say for sure that in the fall 2000 entering class, 360 more women than men applied to attend, not counting those who didn't identify their gender.

When that occurred, advocates for parity in the legal field undoubtedly rejoiced. To achieve gender equity, they had long recognized that it must begin at the source of the pipeline—with a balanced number of female to male law school applicants. Finally the wellspring seemed to be gushing. In fact, the next year, women applicants again surpassed men by a similar margin.

But a peculiar thing happened. The following year, 470 more men than women applied to law school for the fall 2002 entering class. And every year since, the number of male applicants has surpassed the number of females, with the biggest margin occurring last year: Out of the 86,590 total law school applicants for the fall 2009 entering class, men exceeded women by 2,950, not counting the 600 applicants who chose not to state their gender.

“It may not seem like a significant statistic, but it is,” says Hannah Brenner, who focuses on gender and law issues as a lecturer in law at Michigan State University College of Law in East Lansing. “We don't want to slide back to where we're not even close to parity,” she says.

Prior to joining the Michigan State faculty, Brenner served as executive director for the Center for Women in Law at the University of Texas School of Law in Austin, where she helped identify and confront the barriers that impede the advancement and equality of women in the legal profession. “We thought 20 years ago that after we get enough women in the pipeline, it would self-correct,” Brenner says. “But it's becoming increasingly clear, that is a myth.”

Multiple Explanations

Experts like Brenner are having difficulty determining why women are applying to law school at lower numbers than males. Explanations range from concerns about

achieving a work/life balance to their burgeoning interest in other career fields. Brenner doesn't know of any empirical research addressing the topic. But she has her theories. "It all goes to this issue of perception," she says, describing how the legal profession loses its burnish when young women stand back and take a hard look at how women lawyers are faring.

For one thing, women lawyers continue to be vastly underrepresented in top-level positions. "That sends a message," Brenner says. In addition, she believes that today's young women grapple harder with wanting it all—they aspire to a challenging job and a rich family life—and may feel that the demands of a legal profession make it tough to achieve that goal.

Jessie Kornberg is another expert who believes multiple factors are influencing this trend. "It's going to take some time to figure out," says Kornberg, executive director and vice president of Ms. JD, an online community founded by a group of former law students to foster dialogue about gender issues. One piece of the puzzle, Kornberg suggests, is how

men continue to feel greater pressure "for whatever reason," she says, "to be the higher earners in the household."

This type of financial concern, she notes, is helping to prod the preponderance of male students toward the potentially high-paying field of law.

Politics also may play a role. In a blog entry on the Ms. JD Web site, Kornberg writes about the relationship between law school students and their political aspirations. Using data derived from Kaplan, the organization that provides LSAT preparation services, she noted that in a survey conducted by Kaplan with 1,040 enrollees (the survey pool was almost 50/50 male and female, she says), 54 percent of those surveyed indicated that they viewed law school as a stepping stone toward a political career: Specifically, 41 percent of the total women surveyed versus 68 percent of the men said they would "definitely" or "probably" run for political office, thus suggesting that political ambitions also may be affecting the numbers.

Kornberg also points to the increasing appeal that other professions are having on women. "The sciences

and business now seem less hostile to women than in the past," she observes. "That's an argument I hear a lot."

Gloria Blackwell, director of fellowships, grants, and international programs for the American Association of University Women in Washington, D.C., which offers a scholarship program for women of color wanting to attend law school, says that there has been no recent growth in numbers of applicants for that particular fellowship. Why? "Because women of color don't do well in law firms," she says, explaining that 75 percent of them leave the legal profession after five years for reasons that include discrimination and lack of advancement opportunities. "It's not a welcoming environment," she notes.

On the other hand, Blackwell has seen the number of female applicants for career development grants in other fields, such as education, health, and sciences, more than double in the past two years. "It's grown across the board except for law school," she says.

Brenner, though, has examined gender parity in the science field and sees very similar dynamics to the

CHECK OUT THE ATTRITION TREND VOLUME SUMMARY APPLICANTS BY GENDER GROUP

Final end-of-year counts of applicants to ABA-approved law schools. Volumes rounded to the nearest 10. Percent change from prior year computed on unrounded counts. (Due to changes in data collection methods, asterisked (*) data are not comparable to prior data.)

Applicant Group	Fall 2000	Fall 2001	Fall 2002	Fall 2003	Fall 2004	Fall 2005	Fall 2006	Fall 2007	Fall 2008	Fall 2009
Female	36,880*	38,230	44,040	48,170	48,680	46,050	42,500	40,960	40,780	41,520
% Change from prior year	—	3.7%	15.2%	9.4%	1.1%	-5.4%	-7.7%	-3.6%	-0.4%	1.8%
Male	36,520*	37,890	44,510	49,690	50,720	48,640	45,370	42,480	41,960	44,470
% Change from prior year	—	3.7%	17.5%	11.6%	2.1%	-4.1%	-6.7%	-6.4%	-1.2%	6.0%
No Gender ID	1,150*	1,120	2,300	1,650	1,210	1,070	800	580	630	600
% Change from prior year	—	-2.7%	105.4%	-28.3%	-26.7%	-11.4%	-25.6%	-27.1%	9.1%	-6.0%

Source: Law School Admission Council at <http://lsacnet.lsac.org/>. (Select the "law school applicant data" hyperlink, select "Data" on the toolbar, and select "LSAC Ethnic/Gender Volume Summary.")

legal profession, especially regarding the deficit of women in top jobs. But the science field is paying attention to the problem and trying to do something about it. The National Science Foundation, for instance, is funding leadership and gender equity initiatives across the country.

Brenner thinks the issue of more male than female law applicants has been neglected. “It’s not a sexy topic,” she says. “However, at some level you have to be concerned about all the places in the pipeline, not just the retention and promotion of more senior lawyers. If the applications from prospective female law students continue to decline, and fewer and fewer women enter legal education, we will be faced with more issues than just a leaking pipeline.”

Impact of the Recession

The recession seems to be pumping up interest among potential law students. The number of people taking the Law School Admission Test (LSAT) jumped almost 20 percent in October and over 15 percent in December compared to the same periods in the previous year. In addition, many law schools are reporting unprecedented double-digit increases in the recent number of applicants for their fall 2010 entering classes.

“We are experiencing a very significant uptick,” says Jeffrey S. Brand, dean and law professor at the

University of San Francisco School of Law, which saw its applicant pool increase 33 percent by mid-February. “In bad economic times,” he adds, “there is generally an increase in applications as people reconsider what their futures might be.”

Fear of not finding a law job, yet being saddled with large school loans, is a big consideration for applicants.

Wendy Margolis, LSAC director of communications, says many individuals apply to law school during a recession because they’re not able to find a job. “Or they’re waiting for the job market to improve,” she says. “Or they always wanted to get a law degree and now is a good time.”

The University of Iowa College of Law in Iowa City was seeing an almost 50 percent jump in applicants by February, compared to 2009. Collins Byrd, assistant dean of admissions, believes

it would have happened sooner if the credit market had been more accessible earlier on. “Students are now figuring out how to get loans,” he says, adding that the law school also recently has benefited from the U.S. government’s stimulus bill. “That [bill] allowed us to maintain our scholarship and financial aid packages,” he says.

However, the spike in its 2010 entering law class applicants is primarily from men. “Interestingly, our applications from women are flat,” Byrd says. “One thing we are seeing, though, is that the quality of female applicants has gone up significantly at this institution. Their LSAT scores and undergraduate grade point averages are way up.”

When the admissions office of Indiana University Maurer School of Law in Bloomington (which got a boost from its higher ranking in *U.S. News & World Report’s* annual Best Law Schools) crunched its numbers in February, it also was excited to see that its applicant pool had significantly increased from the previous year. But whereas the school saw an impressive 36 percent increase in female applicants, the male applicants had bumped up a whopping 49 percent. At Maurer, the entering classes have tended to be 40 percent to 44 percent women, according to Dani Weatherford, Maurer’s director of recruitment and administration. Thus, the uneven spike in applicants

LSATS ADMINISTERED										
YEAR	JUNE	%CHG	OCT	%CHG	DEC	%CHG	FEB	%CHG	TOTAL	%CHG
2004-05	28,600	4.1%	50,386	-6.2%	41,985	1.9%	24,287	-3.7%	145,258	-1.6%
2005-06	25,984	-9.1%	49,197	-2.4%	40,023	-4.7%	22,240	-8.4%	137,444	-5.4%
2006-07	24,879	-4.3%	48,171	-2.1%	41,033	2.5%	25,965	16.7%	140,048	1.9%
2007-08	25,103	0.9%	49,785	3.4%	42,250	3.0%	25,193	-3.0%	142,331	1.6%
2008-09	28,939	15.3%	50,721	1.9%	43,646	3.3%	28,092	11.5%	151,398	6.4%
2009-10	32,595	12.6%	60,746	19.8%	50,444	15.6%	27,729	-1.3%	171,514	13.3%

Source: Law School Admission Council at <http://lsacnet.lsac.org/>. (Select the “law school applicant data” hyperlink, select “Data” on the toolbar, and select “LSATs Administered.”)



TALK ABOUT IT

Ms. JD is a nonprofit organization that promotes women in the legal profession and provides an online forum for dialogue and networking among women lawyers and law students throughout the legal profession. Ms. JD was created in 2006 by women law students from 12 law schools across the United States. Ms. JD's mission is to reinforce and expand the representation of women in law school and the legal profession. To access the Web site, go to www.ms-jd.org.

aggravates, rather than counters, the uneven proportion of men to women in the next entering class.

Job reports from across the nation indicate that more men than women are losing jobs due to the recession. That might help explain why more men are applying to law schools at this time. (LSAC also reported a 4.7 percent national increase in male applicants versus a 1 percent increase in female applicants by mid-February.) But such an explanation gives no weight to an analysis of what population groups of men versus women have lost jobs, and how that may influence law school applications. Weatherford says her office conducts special outreach for viable women law school candidates. She suspects the higher percentage of men in entering classes may have something to do with men traditionally scoring higher on their LSATs. "So if you're using that as a your main criteria for going to law school," Weatherford says, "there's going to be more men." She notes that women generally have higher grade point averages.

Exceptions to the Trend

Not all law schools are seeing a preponderance of male applicants. Cornell Law School in Ithaca, New York, for instance, which was seeing an unprecedented 52 percent increase in law applicants in January, reports that over 50 percent of its current pool of applicants for the fall 2010 entering class are women. Dean of Admissions Richard Geiger says Cornell has enrolled more women than men for three years in a row. Last fall's entering class had 104 women out of a total of 205 law students.

Geiger says that in addition to examining academic records, the Cornell admissions committee looks for well-rounded candidates with interesting life experiences. They like students who have shown involvement in their communities and demonstrate leadership skills, among other factors. "We really don't look separately at gender," says Geiger, who doesn't know why the school

seems to attract a higher ratio of women than most other institutions.

Similarly, the University of San Francisco School of Law, which also experienced a significant uptick in applicants this winter, routinely enrolls more women. "By a long shot," notes Brand, the school's dean. "Sometimes by 60 percent."

Brand credits the high female enrollment rates in part to the law school's mission to maintain a diverse student body. He also thinks that the school's emphasis on social justice and public interest law programs is a big draw. "More women [than men] are attracted to these programs," he says, referring, for example, to the Keta Taylor Colby Death Penalty Project in which students perform hands-on legal work aimed at abolishing the death penalty in the United States. He says the school's mediation, war crimes, and rule of law programs are also popular with women.

One of the school's recent enrollees is Maya Kevin, who intends to pursue public interest law. The 29-year-old

says she has always wanted to make a difference in the world. Thinking that a law degree would provide her a better mechanism to reach her goal, the former California public school teacher quit teaching elementary-aged children last year to enroll in the University of San Francisco School of Law. Another factor also weighed in her decision to walk away from a steady job during a severe recession. "If I did get laid off, I wouldn't have a backup," Kevin says. "Getting a law degree, no matter what, can offer so much."

She received financial help through a Scholarship for Transitional Students offered by the Women Lawyers Committee, an alumni group at the university. The \$6,600 scholarship is aimed at students who have been in the workforce and are returning to school more than five years after earning an undergraduate degree. "They recognize the burden for someone like Maya to come back," Brand says. "It's part of the idea that it may not be easy for women to come back to school in bad economic times."

Fear of not finding a law job upon graduation, yet being saddled with large school loans, is undoubtedly a big consideration for both male and female law applicants. Some studies, though, show women to be more wary of debt than men.

For her part, Kevin believes she chose a good time to enter law school. She hopes to emerge with her new skill set just as the economy is picking up. But she says many of her fellow law students are concerned and agitated about what job opportunities may or may not await them. She says they regularly check the online listings to ascertain the status of the job market. "Everybody is asking the question: Will there be a job when I graduate?" Kevin says. 🗨️

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