

# American Bar Association Calls for Diverse Hiring Approach in Law Firms Beyond Grades and Class Rank

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The American Bar Association (ABA) has underscored the need for law firms to reassess their hiring criteria. The ABA's House of Delegates, the organization's policy-making body, recently adopted a resolution **advising law firms to expand their evaluation methods when considering potential associates**. This call for change comes as the **legal community grapples with limited diversity among lawyers and equity partners**.

Traditionally, **law firms** have heavily **emphasized academic achievements, such as class rank and grades**, in their recruitment processes. However, the ABA contends that this narrow focus has hindered efforts to achieve a more diverse and inclusive legal profession. The ABA's resolution urges law firms to consider **a broader range of factors when selecting law students** for positions, aiming to mitigate the disparity in minority representation within the legal field.

The resolution specifically recommends that law firms consider attributes beyond academic metrics. These include a candidate's **legal research and writing skills, engagement in pro bono work and community service, participation in extracurricular activities, personal qualities like teamwork and resilience, as well as the individual's background and unique experiences**. By adopting a more comprehensive evaluation approach, law firms can identify candidates **with diverse skill sets and perspectives**, ultimately contributing **to a more dynamic workforce**.

The ABA's Law Student Division, which submitted the resolution, emphasizes the need to revisit hiring practices, particularly during the on-campus interview process. The report accompanying the resolution underscores the significance of reevaluating these practices **to ensure greater diversity and inclusivity in the legal profession**.

The issue of diversity in the legal industry is not new, with various bar associations, law schools, and law firms working over the years to increase the representation of minority lawyers. However, concerns have arisen due to **a recent U.S. Supreme Court ruling that restricts the consideration of race in college admissions**. This ruling has raised apprehensions that efforts to increase the number of minority law students may face challenges, **potentially reducing their presence in the legal pipeline**.

Current statistics further highlight the existing diversity gap within law firms. Only 9% of law firm equity partners identified as people of colour in 2021, and merely 22% were women. The conventional practice of relying heavily on class rank and grades during the summer associate recruiting process, known as **OCI** (on-campus interview), has been criticized for **limiting the discovery and integration of diverse talent into law firms**.

Research has shown that **minority law students**, particularly Black and Latino students, **often score lower than their white counterparts** on standardized tests such as the Law School Admission Test and the bar exam. **Implicit biases in testing, educational inequalities, and being first-generation college** or law students are among the factors contributing to these disparities.

The ABA's resolution argues that the exclusive emphasis on **academic achievements also disadvantages** students who have faced additional challenges, such as **those working part-time to finance their legal education** or those with non-traditional academic backgrounds. Such students may possess valuable skills and perspectives that could enrich law firms' environments.

## Summary

### 1. Diversity issue

- legal community grapples with limited diversity among lawyers and equity partners = diversity gap within law firms
- > 9 % of law firms equity partners identified as people of colour

### 2. Causes

☞ law firms emphasize academic achievements, such as class rank and grades = limiting the discovery and integration of diverse talent into law firms

-> moreover, it disadvantages those working-part-time to finance their legal education

-> besides, minority law students often score lower than their white counterparts because of implicit biases in testing, educational inequalities

☞ US Supreme Court ending affirmative action = a ruling that restricts the consideration of race in college admissions, potentially reducing minority law students' presence in the legal prof

### 3. Solutions

- Law firms need to revisit their hiring practices to ensure greater diversity and inclusivity

How?

-> by considering attributes beyond academic metrics / achievements

Ex: include a candidate's legal research and writing skills, engagement in pro bono work and community service, participation in extracurricular activities, personal qualities like teamwork and resilience, as well as the individual's background and unique experiences.

-> new assets = diverse skill sets and perspectives + more dynamic workforce

## Commentary

- How the journalist has raised an issue while failing to provide the right solution

-> this text seems to imply that academic achievements are overrated in the recruiting process of prospective lawyers. The text does not make such an explicit contention specifying that other "attributes" should be considered on top of the academic achievements. One may wonder whether those attributes are specific to minority law students or not. Their white counterparts may possess those "attributes" too, and the argument does not stand any longer. Getting good results and having "skills" or specific qualities are not necessarily mutually exclusive. Will recruiters be more willing to hire minority law students even if they fit into those new categories? Why not lower the level of the bar examination? The journalist is beating about the bush without naming the real problem which is racial discrimination.

The journalist seems to call for a greater integration of minority law students into the legal field even by resorting to self-defeating means.

The text tackles another issue: gender gap and gender diversity. Again, one may wonder to what extent other factors like extracurricular activities or pro bono work, or teamwork qualities may contribute to

increasing the recruitment of women lawyers. This would imply that female law students perform less than their male counterparts during tests and need to rely on “other attributes” to be recruited.

--→ this remark raises two issues: Why are women are shunned by law firms? Why should women be excluded from the meritocratic model?

In fact, this text raises a real issue while providing a questionable argumentation resting on solutions that seem to cast doubt on the substance of the problem.

- Is affirmative action the solution? Why has it been abolished?

- To what extent can a student with academic achievement become a good lawyer?