Recommendations of the
University of Chicago Law School Diversity Committee

March 26, 2018
To the Law School Community:

Today I am pleased to release the Recommendations of the University of Chicago Law School Diversity Committee. Professors Emily Buss and William Hubbard led the Committee as co-chairs, and five faculty members and administrators served as committee members. Their work has been extraordinary and extensive, and I am extremely grateful to the committee members for their exemplary service to the Law School. The release of the Committee’s recommendations is not only the continuation of our long-standing commitments but also the start of important work to be done.

A core mission of the University of Chicago Law School is to train well-rounded, critical, and socially conscious lawyers and leaders. A hallmark of our educational approach is our unabashed enthusiasm for ideas, and the belief that ideas matter and are worth discussing. Learning at the Law School is therefore participatory and often passionate. This goal and the approach we take succeed only when our community includes people of diverse backgrounds and perspectives, and when all people within our community feel welcomed and enabled to bring their views and experiences to these discussions. I do not pretend that this is easy to accomplish—especially given that the topics we regularly discuss are among the most controversial and most important—but it is absolutely critical to foster a welcoming, diverse, and respectful environment.

At the beginning of the 2016-17 academic year, I appointed an ad hoc Diversity Committee to understand better the challenges we face with regard to diversity and inclusion. Our Committee’s efforts complement the University’s focus on diversity and campus climate. Last year, the University issued the results of its campus-wide climate survey, and the Diversity Advisory Council issued recommendations, which included that each unit of the University form a diversity and inclusion committee and formulate a strategic plan. While our committee began its work before this recommendation, its current work is very much a part of this larger initiative on campus, and our committee and the entire Law School community have benefitted from the work of our colleagues around the University, as we hope we will benefit them in turn.

Our Committee examined the Law School’s progress on diversity and student climate. It did so thoroughly by gathering student, faculty, and staff perspectives through multiple means, including group meetings and discussions with affinity groups and ideological groups, and many individual conversations with students. The Committee reflected on the perspectives it heard and developed a set of recommendations. An attached document describes in more detail the process that the Committee followed.

The recommendations that the Committee has advanced are excellent. They are an affirming and ambitious path to making our Law School more diverse and inclusive. The recommendations are focused on four areas: (1) formalizing diversity resources; (2) making our climate more inclusive; (3) enhancing the diversity of the student body; and (4) expanding the diversity of the faculty.

The Committee’s efforts have not been limited to gathering information and issuing recommendations. The Committee identified and shared several areas where immediate change was possible. We promptly took steps to implement these changes before the recommendations were finalized. For example, the Law School in the past academic year expanded the number of first-year elective offerings focusing on race, and recently added upper-division classes engaging issues of gender, sexual orientation, and other identities. The Law School experimented with a “student
roundtable” lunch program where students could engage with each other and with faculty on topical questions. By identifying and quickly acting on these and other opportunities, the committee, together with our faculty and administrators, have already begun to make the Law School more inclusive.

This past winter, as the Committee finalized its recommendations, I heard directly from students in large and small group meetings, in informal conversations, and in email messages. Faculty members also shared with me their perspectives, and many alumni contacted me to share their views. A great strength of the Law School is that all the members of our community care deeply about the Law School and the experience of our students. These conversations were an important source of perspective and confirmed for me the importance of the committee’s recommendations.

The Committee’s efforts, both this year and in its recommendations for the future, will augment the Law School’s longstanding efforts to expand diversity. Both I and the Committee received many questions about the efforts that the Law School has undertaken to advance student and faculty diversity and the current results of those efforts. The desire to know more about the Law School’s efforts is an important first step toward identifying what more can be done. Attached is a summary of those efforts and the current state of student and faculty diversity. Briefly, the Law School’s faculty and student body are more diverse than they have ever been, and they compare favorably along these dimensions to other law schools. This progress is due to the commitment and sustained effort of our faculty and community over time. That said, there is more work to be done.

While I am proud of the work we have done in the past, my focus is now on the future. The Committee’s review constitutes a reaffirmation and renewal of our commitment, and the recommendations provide a path to more progress. Our work towards our goals on diversity and inclusion must be undertaken both immediately and continuously. I am deeply committed to this mission, and I look forward to both the progress and the results of these ongoing efforts.

A central recommendation is the creation of a permanent Diversity Committee for the Law School. I am grateful that the members of the ad hoc Committee that created these recommendations have agreed to serve as the first members of the permanent Committee. It is outstanding that their work can begin immediately.

A copy of the Recommendations is attached. I thank the Committee for its work. More importantly, I thank all the students, faculty, staff, and alumni who shared their thoughts with the Committee and with me. I look forward to working with our entire community on these recommendations.

Thomas J. Miles
Dean, Clifton R. Musser Professor of Law and Economics

March 26, 2018
A Note on Background and Process

The University of Chicago Law School Diversity Committee (“the Committee”) was convened by Dean Thomas Miles in the fall of 2016 to address issues of diversity and inclusion at the Law School, with a focus on the experience of students. The Committee consisted of seven members, including members of the research and clinical faculty, the Deputy Dean, the Dean of Students, the Associate Dean for Admissions and Financial Aid, and the Associate Dean for Career Services and Policy Initiatives.

During the 2016-2017 academic year, the Committee conducted an extensive “listening tour” to hear members of the Law School community’s views, experiences, concerns and recommendations related to diversity and inclusion. The Committee began its information gathering process by inviting the leaders of student groups, including racial, ethnic, and religious affinity groups, ideological groups, Law School Veterans, and a group of students who articulated health and disability related concerns. The Committee also met with some student organizations’ general bodies. In addition, members of the Committee met with a group of law students who organized and designed the Women’s Advocacy Project, an ad hoc student-initiated project designed to examine the experience of women within the Law School community. The Committee held two town hall-style meetings for students focused on the topic of diversity and inclusion, both of which were open to all students. In addition to student input, the Committee sought input from research and clinical faculty, fellows, staff, and administrators.

During the academic year, the Committee met with and heard from a number of individual members of the Law School community through individual meetings, email correspondence, and personal outreach. The Committee received feedback through its dedicated email address at diversitycommittee@law.uchicago.edu. Finally, the Dean of Students brought to the Committee’s attention various diversity and inclusion-related issues affecting the Law School community as they arose throughout the academic year.
The Committee supplemented these in-person conversations with a review of anonymized student feedback from the Law School’s exit interview process and from student evaluations of the professionalism and leadership orientation program as well as two reports related to diversity and inclusion prepared by the University of Chicago.¹ The Committee also reviewed two peer law schools’ diversity reports.²


A Note on Faculty and Student Composition

At universities nationwide, the diversity of the faculty and the study body is a matter of great importance and intense interest. This is also true at our Law School. Although interest in these areas is high, information can be hard to come by. Privacy must be protected in matters of hiring and admission. Also, the process of hiring faculty is long, often spanning years, and the process of preparing students and recent graduates for academia is even longer. For students whose time at a law school is at most three years, change may not be apparent. To increase transparency, this document describes the current state of faculty and student diversity and the efforts that the Law School has taken along these dimensions.

A. Current Faculty Composition and Efforts to Enhance Diversity

1. The Current Faculty

At the Law School, the demographics of its faculty are similar to those of other prominent law schools. Currently, the Law School has 37 full-time research faculty, of whom 27 are male and 10 are female. Seven research faculty members are people of color, two of whom are African-American. The Law School has no research faculty who identify as Latinx or LGBTQ. Among the Law School’s 15 clinical-track faculty, nine are male and six are female. Three clinical-track faculty members are people of color, two of whom are African-American. The Law School has one clinical-track faculty member who identifies as Latinx and one who identifies as LGBTQ.

These numbers reflect considerable change over the past decade. Since 2012, the Law School has successfully recruited to its research faculty six men, including two male faculty of color, one of whom is African-American; and two women, including a woman of color. Of the Law School’s eight most recent additions to its research faculty, three are people of color and two are women. Over the same period, the Law School’s Clinic has added four women—one of whom is Latina.

2. Outreach to Diverse Scholars

As part of its efforts to diversify the research faculty, the Law School has expanded its outreach initiatives in recent years. Since 2014, the Law School has sent either the chair of the Entry-Level Appointments Committee or the Deputy Dean every year to the Culp Colloquium and Emerging Scholars of Color conference, the premier fora to meet, assess, and recruit outstanding diverse candidates. Moreover, the Law School has increasingly worked with the organizers of the Law School’s many faculty workshops—Public Law and Legal Theory; Regulation of Family, Sex, and Gender; Constitutional Law; Law and Economics; Law and Philosophy; and Judicial Behavior—as well as the Law School’s many conferences, to increase the visibility among the Law School’s faculty of excellent women and diverse scholars from other institutions and to foster a relationship between
the Law School and these scholars. This, in turn, expands the pool of women and diverse scholars that the Law School can consider for potential visiting offers.

The Law School also invests in developing and mentoring aspiring legal academics, including many diverse young scholars, through its fellowship programs, including the Bigelow Fellowship, Olin Fellowship, and the Public Law Fellowship. In addition, the Law School specifically created the Earl B. Dickerson Fellowship to recruit outstanding candidates who demonstrate the promise of distinguished legal scholarship and bring diverse experiences and perspectives to the Law School. For the 2017-18 academic year, four of the six Bigelow Fellows are women and one is a Latino male, and the Law School’s Dickerson Fellow is an African-American woman. In many instances, these fellows subsequently have been hired onto the Law School’s tenure track faculty. Three of the ten women on the research faculty were either Bigelow or Public Law Fellows, and one of the two African-American research faculty was a Bigelow Fellow as well.

3. Mentoring Diverse Law School Students and Graduates Interested in Teaching

Each year, the Deputy Dean sends all second-year students a Class Guidance Memorandum that discusses “Academic Careers in Law Teaching” and provides advice on the courses, seminars, workshops, and clinical experiences most helpful for a career in legal academia. All of the Law School’s workshops are open to students and provide them access to legal scholarship from a broad range of scholars and ongoing opportunities to engage with other scholars about their work. The Law School also has a formal committee—Law Teaching: Placement of Graduates—tasked with helping students interested in academia develop a research agenda and scholarly projects to prepare them for the legal job market. In addition to these more formal mechanisms of support, faculty members have offered ongoing mentorship and support to individual students interested in teaching, including a number of diverse students. In recent years, the Law School adopted policies to make it easier for J.D. students in dual degree programs to earn a Ph.D. and enter legal academia. These efforts, among others, have placed the Law School among the most successful law schools in producing legal scholars, including many women and people of color. Since 2009, nearly 40 J.D. graduates of the Law School successfully have found positions as legal academics at various law schools. Fourteen of those alumni placed are women; and eleven are people of color, including 6 African-American graduates.

B. Current Student Body Composition and Efforts to Enhance Diversity

1. Current Student Body

The Law School reports each year the race and gender of its law students to the American Bar Association (ABA). In its 2017 data (the most recent year available), the Law School reported that 30.3% of its J.D. students self-identified as people of color, and 46% as women. More specifically, the Law School reported that 5.7% of its students self-identified as African American, 11.2% as Latinx, 8.8% as Asian, and 4.4% as multi-racial. While not reflective of the demographics of larger society, these figures show greater diversity along these dimensions than the legal
profession as a whole.\(^3\) They indicate that the Law School is contributing to the diversification of the legal profession. Also, these numbers are consistent with those of peer law schools. This suggests that meaningfully improving student diversity is a challenge shared across law schools, and one that requires a multifaceted approach and serious critical thinking.

2. Outreach, Admission, and Recruitment

The Office of Admissions engages in a number of efforts to create a diverse pool of applicants each admissions cycle. The Law School Admission Council provides the Candidate Referral Service (CRS), which offers applicants the option of providing specific identifying information about themselves. The Law School’s Office of Admissions, using the CRS service, annually sends approximately 800 invitations to people of color and over 1200 invitations to women. Admissions staff members also attend over 35 recruiting events each fall, including college campus visits and law school fairs, as well as host open houses at the Law School.

In addition, the Admissions Office works closely with leaders from student organizations including Asian Pacific American Law Students Association (APALSA), Black Law Students Association (BLSA), Latino/a Law Students Association (LLSA), Law Students Association (LSA), Law Women’s Caucus (LWC), OutLaw, Law School Veterans, and the Spiritual Life student organizations (Jewish Law Students Association, Dallin H. Oaks Society, Muslim Law Students Association, St. Thomas More Society, and the Christian Legal Society). The Admissions Office engages these groups for assistance during the year, and asks the organizations to nominate a member to join the Law School’s Student Admissions Committee. As part of its outreach to diverse applicants, the Admissions Office coordinates with these organizations on recruitment mailings and events during Admitted Students Weekend (ASW). The Admissions Office also dedicates the first day of ASW to events focusing on diversity and inclusion. For 2017, those diversity-related events included a faculty panel focused on the Law School’s approach to diversity and inclusion, a recent alumni panel, and student organization lunches.

In recognition of the need to increase the number of diverse and under-represented applicants to law school, throughout the year the Admissions Office reaches out to high school and college students, particularly in communities neighboring the Law School, to introduce them to the law school experience and the law school application process. Each year, the Law School and BLSA co-host high school students from the community to spend a day at the Law School, sit in on a class, tour the Law School, and talk with current students. The Admissions Office and BLSA also co-host weekend admissions events to introduce law school to community college students and freshman and sophomores from local universities.

The Admissions Office also is a supporting member of CLEO, the Council on Legal Education Opportunity, a non-profit project of the ABA Fund for Justice and Education designed

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to expand opportunities for minority and low-income students to attend law school. In both 2016 and 2017, the Law School served as the host school for CLEO’s summer workshop series and will host the event again in 2018. In addition, the Law School Admissions Office and the Office of the Dean of Students consistently have participated in organizing and supporting a summer program organized by the six Chicago law schools designed to help prepare diverse students for their first year of law school.
In this document, the Diversity Committee makes recommendations to improve the community experience and climate of the Law School, address existing challenges, and move the Law School forward on diversity and inclusion. The Committee recognizes that some of the recommendations will require time and study but believes that other recommendations can and should be adopted more quickly.

The Committee has identified four main, long-term goals: (1) formalized diversity resources, (2) a more inclusive climate, (3) greater student body diversity, and (4) greater faculty diversity. They are long-term goals because they reflect a commitment to sustained action over many years. To achieve these goals, the Committee believes that it is necessary and important to set concrete objectives against which the Law School can measure progress.

What follows are the Committee’s concrete recommendations for steps to advance each of these institutional priorities. The recommendations begin with the goals for which the Committee believes that immediate, concrete steps are possible in the nearer term. The recommendations then turn to the goals that may require a longer period of sustained investment of energy.

After setting out its recommendations, the Committee notes specific steps the Law School already has taken that address issues identified by the Committee during its 2016-2017 listening tour.

A. Formalized Diversity Resources

The Committee recommends that the Law School expand and formalize institutional efforts to address issues of diversity and inclusion. Specifically, the Committee recommends that the Law School pursue the following objectives, both of which can be initiated immediately:

1. Establish the Diversity Committee as a standing committee, constituted by the Dean on an annual basis to include faculty, administrators, and student representation in some form. Progress on diversity and inclusion requires sustained efforts, and a standing committee will help ensure that the efforts are ongoing and focused. Although the Committee anticipates that the extent and character of its duties would vary over time, it would, at a minimum:

   a) Take primary responsibility, with the Dean, for overseeing implementation of the recommendations of the Committee, with the exception of curricular review. The Committee recognizes that a review of curriculum requires a separate committee.

   b) Establish a regular schedule of discussion sessions hosted by the Dean and/or Diversity Committee, in which students will have an open forum to raise concerns, ask questions, and offer suggestions regarding diversity, inclusion, and related matters.

2. Create a diversity-focused administrative position and initiate a national search for appropriate candidates for the position. This administrator would be primarily responsible for
promoting, coordinating, and implementing the Law School’s diversity and inclusion initiatives, supporting student organizations’ diversity-related efforts, and serving as a resource for students and other members of the Law School community with concerns related to diversity and inclusion. While the search process should commence immediately, the Committee recognizes that the time required to fill the position is difficult to predict.

B. More Inclusive Climate

The Committee recommends that the Law School prioritize the cultivation of a rigorous, inclusive academic environment in the following areas: methodological diversity in the curriculum; inclusivity in the classroom environment; open and civil discourse outside the classroom; a physical environment welcoming to students of all identities; and mentorship and advising opportunities accessible to all students. The Law School defines itself as a place where ideas are regularly challenged and scrutinized from multiple perspectives. For intense, civil discourse to occur, the Law School must welcome and encourage persons of different backgrounds and viewpoints. During the listening tour, the Committee heard that the Law School must do more to realize this aspiration.

The Committee makes the following recommendations:

1. Orientation. Initiate a comprehensive review of first-year orientation, with consideration of ways in which new approaches could highlight the Law School’s commitment to diversity and inclusion, improve rigorous and civil debate, promote norms of professionalism, and familiarize students with the complex history of Chicago, Hyde Park, the University of Chicago, and the Law School. The Committee recognizes that much of the orientation schedule is already in place for the 2018-2019 school year. It recommends that the Law School take advantage of any openings in the schedule to test new programming that could be further developed the following year.

2. Physical environment. Ensure that the Law School’s physical spaces are inclusive.

   a) The artwork in the Law School should better reflect the diversity of the Law School community. The Committee recommends a building-wide review of the fine art and portraiture in classrooms, hallways, and the Kane Center to determine which art should be moved or replaced. The Committee is aware that the Dean has already begun this process and has engaged art experts and some members of the Law School community. The Committee supports these efforts and anticipates participating in these efforts going forward.

   b) The Committee understands that the Law School is ADA compliant, but the Law School should aspire to be welcoming, not just compliant. The Committee recommends reviewing whether the Law School’s physical spaces can be updated to be more accessible to members of the community with mobility limitations.

3. Discourse outside the classroom. During the past year, the Law School piloted lunch discussions with students in which faculty and students debated a controversial topic from differing perspectives. The Committee urges the Law School to continue these Roundtables, and it recommends supporting other efforts to foster student and faculty engagement across
viewpoints. For example, in future years, students or faculty may wish to host a forum for across-viewpoint engagement involving faculty and students and combining the serious discussion of issues with a community-wide social event. Efforts of this kind could create a distinctive UChicago tradition that celebrates and builds upon the ideological diversity of the Law School community.

4. Classroom environment. The law confronts some of the most difficult and sensitive subjects in society. Teaching legal materials that pertain to these sensitive subjects can present challenges for both faculty and students, but, if done effectively, remains vitally important and richly rewarding for all involved. The Committee learned that some faculty members have periodically met to discuss approaches to teaching and recommends that the Law School support such efforts. The Committee encourages the establishment of an annual internal workshop in which faculty can meet to discuss best practices for teaching students generally, with a focus especially on students from diverse backgrounds. During this workshop, faculty members can also share techniques for discussing and engaging with a broad range of intellectual approaches and methodologies in the classroom and for facilitating the discussion of race, gender, sexual orientation, and other identities that bear on course materials. This workshop could also provide opportunities for faculty to engage university resources to support these efforts.

5. Mentorship and advising. Mentorship and counsel are important to the development and growth of nascent legal careers. For clerkships, academia, and other employment opportunities, guidance is essential. Outreach, advice, and advocacy are UChicago faculty traditions, and the Committee recognizes that much mentoring and advising occurs informally. The Committee believes that steps can be taken to ensure access to mentorship opportunities for all students. For example, the Committee recommends encouraging faculty to post all research assistant positions through the Office of Career Services. The Committee further recommends that the diversity administrator explore ways to expand administrative and faculty outreach to affinity groups whose members may be interested in clerking or pursuing academic careers.

6. Curriculum. The Committee recommends initiating a review of the first-year curriculum. The Committee makes this recommendation aware of the fact that a review of the first-year curriculum involves many considerations beyond diversity and inclusion. (In this respect, the Committee notes that there has not been a systematic review of the first-year curriculum in a considerable time at the Law School. Thus, the relevance of a curricular review to diversity and inclusion may only be one of many reasons for taking this step at this time.) The curricular review would focus its efforts on exploring how targeted changes in course requirements and the materials covered in required courses could increase the exposure of students to diverse legal topics, viewpoints, and methodologies. The Committee recognizes that completing a review of the first-year curriculum would necessarily be a multi-year process. The Committee also recommends that recent efforts to diversify the methodological perspectives offered in the upper-level curriculum be continued.
C. Greater Student Body Diversity

Increasing the diversity of the student body long has been a priority of the Law School. The Committee recommends that the Law School continue and expand its efforts to attract, admit, and matriculate a diverse student body.

The Committee recommends the following steps in this effort:

1. Include in the diversity administrator’s responsibilities the support of efforts to identify, attract, and recruit students from diverse backgrounds, including programs targeting both underrepresented high school and early college students.

2. Ensure, as an annual component of Admitted Students Weekend, that the Law School offer programming that provides an opportunity for the candid discussion of the challenges to diversity and inclusion in law school environments and what the Law School is doing to address these challenges.

3. Develop a webinar series for prospective and admitted students, particularly those unable to attend Admitted Students Weekend, that would give them an opportunity to engage with faculty and administrators on diversity, inclusion, and other topics through a videoconferencing question and answer format.

D. Greater Faculty Diversity

The Law School’s strength depends on the excellence of the faculty. Increasing faculty diversity has long been a priority of the Law School and significant progress has been made towards this end in the last decade. The efforts of the Law School’s Appointments Committees have expanded the diversity of the faculty along dimensions of race, gender, and intellectual perspective. The Law School is committed to making further progress, which will require the investment of serious, multi-faceted efforts over months or years, even for individual appointments.

The Committee recommends that the Law School continue and expand current efforts to recruit, hire, and retain a more diverse faculty at the fellowship, entry-level, and senior faculty career stages. The Committee also recommends that the Law School take steps to encourage and support the entry of diverse candidates into the teaching market.

The Committee makes two recommendations for specific steps that the Law School could initiate over the next year to supplement its existing efforts in this area:

1. Identify ways to expand the Law School’s current efforts to help students from groups underrepresented in the academy cultivate their potential as future fellows and faculty members. The Diversity Committee notes that in recent years, several graduates of color have begun academic careers. The Committee recommends consulting with the Law School's graduates in academia to generate further recommendations on how to expand the diversity of the legal academy and best support students pursuing these careers. Also, the Committee
recommends that the Law School invite these alumni to the Law School to share their experiences with students interested in teaching.

2. Leverage University resources to create opportunities for research fellowships for lawyers in practice (public or private) considering academic careers who would add diversity to the research faculty along one or more dimensions. Several years ago, the Law School established the Earl B. Dickerson Fellowship to encourage new scholars of diverse backgrounds and perspectives to enter legal academia. A longer-standing effort at the University is the Provost’s Postdoctoral Fellows Program to support scholars from under-represented groups. The Law School has not had a Fellow through the Provost’s Postdoctoral Fellowship Program. The Committee recommends that the Dean work with the Provost to utilize the Postdoctoral Fellowship Program.

E. Steps Already Taken in Response to Listening Tour Input

The Law School has already taken some specific steps that address issues identified during the Committee’s listening tour. The Law School:

- Expanded the number of first-year elective offerings focusing on race;
- Added upper-level seminars incorporating critical legal studies and critical race theory;
- Scheduled clerkship programming with some affinity groups;
- Added a session on implicit bias to the first-year orientation program, eliminated a first impressions exercise, and revised the ropes course to make it more accessible to all students;
- Piloted the “Law Student Roundtable” lunch program, in which students holding divergent viewpoints have an opportunity to engage with two faculty members on a contemporary topic of controversy;
- Augmented its diversity-related programming, including sessions on topics such as cultural competency and the impostor phenomenon;
- Began offering an annual program for students to help them to prepare diversity statements for prospective employers;
- Designated the Auditorium as a meditation and reflection space and designated a nearby room as a space for prayer;
- Worked with the University Student Disability Services Office to make the accommodations process more efficient and better tailored to the specific needs and experiences of law students;
- Worked with the Facilities Department to improve accessibility in the Law School by adding signage and extending elevator operation to allow all members of the community to access the lower level after 6 pm and on weekends;
- Worked with the Facilities Department to identify and create an all gender multi-user bathroom; and

- Expanded the offerings at Coffee Mess to accommodate religious dietary restrictions.

**Conclusion**

Enhancing the diversity of faculty and students and the inclusivity of the Law School community will be an ongoing process. The Committee’s recommendations aim to identify concrete steps that can help the Law School build upon existing efforts to achieve these goals, and it is the Committee’s hope that these recommendations also serve as a foundation for shared discussion going forward. The Committee expects that the ongoing engagement among members of the Law School community will generate new proposals and further action toward the shared goal of improving diversity and inclusion. Thus, an important role of the Committee going forward will be facilitating and learning from that community-wide engagement.