

to 24 students, many have to be refused entry.

WOMEN'S ISSUES

Progress report: women and people of colour in legal education and the legal profession

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Whilst formal barriers to entry into the legal profession have been reduced over the past 25 years, serious problems of gender and race bias remain. Women and people of colour are still under-represented in the upper echelons of law faculties, firms and institutions.

Women outnumber men at Hastings College of the Law. However, women face a secondary level of discrimination that is inherent in the very nature of legal education. Studies have shown that men do better at law school due to the traditional Socratic method of teaching, the adversarial environment, the overwhelming male faculty and the lack of female mentoring. As a result, men are more likely to be in the top 10% of their classes. The Chicago Bar Association Alliance Report made recommendations intended to ameliorate these subtle forms of discrimination, including hiring more women faculty for tenure positions, having at least one core first semester course taught by a woman, teaching feminist jurisprudence and including the interests of women in traditional courses. It is not enough to add women and stir.

The Alliance Report recommendations would also serve to advance the interests of non-white law students. At UCLA 40% of the student body is comprised of 'diversity' students, with no one racial group making up more than 50% of a class. At Hastings, 40% of the student body is classified as 'ethnic minority', which is due to its program, Legal Education Opportunity Program. Such diversity programs need to be adopted throughout the country and law schools need actively to recruit students with a diversity background.

Faculties in law schools remain the province of the white male. Those women and people of colour that have entered academia are clustered at the bottom. Rare is the woman who becomes dean of a law school. The push for diversity can come from the groups themselves. The Hispanic legal community has made a concerted effort to increase its numbers in legal academia, resulting in the hiring of 22 Hispanics in 1991, a 25% expansion on existing full-time Hispanic law professors.

In the workforce, white males still occupy the positions of power. Eighty-seven percent of partners in the top 250 firms are male, and the number of female partners is only increasing at 1% per year. However, by the year 2000 it is estimated that 33% of lawyers will be women. The impediment to women reaching the top is that they generate less business than their male counterparts, partly due to the 'old boys' network'. Child rearing and homemaking cause fatal interruptions in the career paths of many women lawyers.

The profession must develop more flexible models of career development to retain women so that they are not penalised for child rearing and homemaking.

The increase in the number of non-white lawyers is not as promising as the increase in the number of women. Only 6.8% of lawyers in 1992 were non-white and only 2.4% of partners were non-white.

To increase the number of lawyers of colour in major law firms, several bar associations have adopted hiring goals. For instance, in San Francisco 15% of associates and 5% of partners are to be from minorities by 1995. This target has been adopted by over 100 firms and corporations. The American Bar Association Commission on Minorities created a program that enlisted corporate counsel at 140 leading firms, such as IBM, GM and Ford, to inform law firms that they want attorneys of colour working on their matters.

As well as expanding their hiring programs more prominently to include women and people of colour, workplaces must take steps to retain, develop and promote these people so as to maximise their contributions to the firm.

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