

Building Social Justice Leaders: The University of Michigan Law School's Diversity Program

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Enrollment among African-American, Hispanic and Native American students dropped 42 percent at the University of Michigan Law School in 2008, the first full year after voters adopted Proposal 2,¹ amending the state constitution to ban public institutions from discriminating against or giving preferential treatment to groups or individuals based on their race, gender, color, ethnicity or national origin in public education, public employment or public contracting.² Although the percentage increased somewhat in 2009 because of limits imposed under Proposal 2, the numbers of underrepresented minority students appear unlikely to recover for many years.³

Colleges and universities have relied on admissions policies as a leading strategy to realize the educational benefits of diversity. The philosophy behind this approach is that admitting more students of color will lead to greater classroom diversity which benefits all students. What has come to be known as the “diversity rationale” is a concept that was first introduced by Supreme

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1. Internal Memorandum, Univ. of Mich., Excel spreadsheet from the Admissions Office, “Pre and Post Prop 2 Data Updated for 2010” (June 22, 2009) (on file with author). Proposal 2 was adopted by Michigan voters in November 2006 and went into effect in January 2007. The 2008 class was the first to be fully admitted under race neutral requirements.
2. See Melvin Butch Hollowell, *In the Wake of Proposal 2: the Challenge to Equality of Opportunity in Michigan*, 34 T. Marshall L. Rev. 203 (2008).
3. Although Proposal 2 also banned preferential treatment on the basis of gender, this was never considered a plus factor in the University of Michigan Law School's admissions process. In the past three years, women have comprised at least 42 percent of the entering class. See *Class Statistics*, U. of Michigan Law Sch., available at <http://www.law.umich.edu/prospectivestudents/Pages/classstatistics.aspx>.

Court Justice Lewis Powell in 1978 to defend race-conscious admissions practices in *Regents of the University of California v. Bakke*.⁴ The diversity rationale was further developed in 2003 when the University of Michigan successfully argued in *Grutter v. Bollinger* that diversity “promotes learning outcomes and ‘better prepares students for an increasingly diverse workforce and society,’”⁵ improved “cross-racial understanding”⁶ and the “break[ing] down [of] racial stereotypes.”⁷

While increasing the number of minority students is important for all of the reasons upheld in *Grutter*, relying on recruiting efforts to create an inclusive academic environment is not an option for schools located in states with anti-affirmative action ballot initiatives. (Consider Proposition 209 in California, 1996; Initiative 200 in Washington state, 1998; Proposal 2 in Michigan, 2006, and Proposal 107 in Arizona, 2010.)⁸ In addition, the U.S. Supreme Court’s decision in *Fisher v. University of Texas* emphasized a strict scrutiny standard of review for race conscious admissions. This will make it even more difficult for schools and colleges to justify the use of race to increase minority enrollment because they must first show that the same results cannot be accomplished with race neutral measures.⁹

Even before *Fisher*, racial diversity in law schools across the country has been on the decline for some underrepresented minority groups. Although the average LSAT scores of black and Hispanic students have increased in the last several years, fewer overall are getting into law schools.¹⁰ In fact, “from 2003 to 2008, 61 percent of black applicants and 46 percent of Mexican-American

4. See Mitchell J. Chang, *Beyond Artificial Integration: Reimagining Cross-Racial Interactions Among Undergraduates*, 120 *New Directions for Student Services* 25, 26-27 (2007).
5. *Grutter v. Bollinger*, 539 U.S. 306, 330 (2003).
6. *Id.*
7. *Id.*
8. For discussion of these ballot initiatives, see *Affirmative Action: State Action*, National Conference of State Legislatures (July 2011), available at <http://www.ncsl.org/issues-research/educ/affirmative-action-state-action.aspx>; see Hollowell, *supra* note 2. Proposal 2 was struck down as unconstitutional by the Sixth Circuit, creating a split of opinion with the Ninth Circuit, which had previously upheld a similar ban on affirmative action. The Supreme Court has agreed to review the constitutionality of Proposal 2’s restrictions in the 2013-2014 term. In the meantime, the Supreme Court’s decision in *Fisher v. University of Texas*, 133 S. Ct. 2411 (2013), has no effect on the University of Michigan Law School’s admissions practices. However, supporters of Proposal 2 believe that the Supreme Court’s toughened stance on the use of affirmative action in college admissions signals a reluctance to uphold an overturning of Proposal 2. See David Jesse & Todd Spangler, *Despite Court Ruling, Future of Michigan’s Affirmative-Action Ban Still Unknown*, *Governing*, June 25, 2013, available at <http://www.governing.com/news/state/mct-michigan-affirmative-action-ban.html>.
9. *Fisher v. Univ. of Texas at Austin*, 133 S. Ct. 2411 (2013).
10. See Tamar Lewin, *Law School Admissions Lag Among Minorities*, *N.Y. Times* (Jan. 6, 2010), available at http://www.nytimes.com/2010/01/07/education/07law.html?_r=0.

applicants were denied acceptance at all of the law schools to which they applied, compared with 34 percent of white applicants.”¹¹

Despite the devastating effect Proposal 2 has had on racial diversity at the University of Michigan Law School, creating an inclusive learning environment continues to be an institutional priority. The decline in underrepresented minority enrollment and the anti-affirmative action restrictions, however, have forced the law school to seek new strategies that comply with the legal mandate of Proposal 2 but meet the institutional objective of providing a diverse learning community.

As a new approach, the Office of Student Affairs has chosen students from a wide range of social identities and professional interests to be leaders on campus and actively raise issues in classrooms of race, gender, sexual orientation and other categories of identity. As more fully explained in the key outcomes below, when students have the support of their peers and the tools and skills to address classroom conflict, they are more empowered to bring diversity into class discussions. Accordingly, if these conversations occur more often, the rich classroom discourse referred to in the *Bakke* and *Grutter* cases can be realized.

This leadership program was the inspiration behind substantial modifications to the law school’s existing diversity plan, the Michigan Access Program (MAP). The purpose of this article is to present MAP, in its new iteration, as a case study to show how creating social justice leaders on campus can help mitigate the adverse effects of decreasing minority enrollment. Although Proposal 2 inspired this work, the “MAP model” can serve as a useful approach to other similarly situated law schools seeking to create an inclusive learning community in an increasingly white student population.

The key student learning outcomes for MAP participants fall into three general categories: increased participation in diversity-related class discussions, intercultural skill-building and leadership development.

I. MAP

A. Background

MAP was originally called the Minority Affairs Program when it was founded in the late 1960s by the Black Law Students Alliance. Its original mission was to provide students of color with academic support, a safe space to learn and a means to bring racial problems to the attention of the law school administration.¹² In 2004, after *Grutter* was decided, participation in MAP was opened to all students out of concern that race-based programming

11. *Id.* For more information about declining enrollment among blacks and Mexican Americans in law school, see A Disturbing Trend in Racial Diversity, available at <http://blogs.law.columbia.edu/salt/>.

12. Internal Memorandum, Univ. of Mich., confidential memo from the former Assistant Dean of Student Affairs, Charlotte Johnson, to Evan Caminker, “Programs for Students of Color” (Mar. 24, 2003) (on file with author).

would result in new legal challenges. Gradually, the demographics changed in the program until 2008 when the number of white participants exceeded the number of students of color. From 2008 to 2010, MAP began to lose its character as a diversity program. Instead, students began to view it as more of an opportunity for networking and as a way to gain an academic advantage. Finally in August 2011, MAP was reinvented as a social justice leadership program.

Today, in its new iteration, MAP seeks to build and support a community of social justice leaders, teach leadership and conflict resolution skills with an emphasis on intercultural competence and provide students with opportunities to explore their own thinking, histories and beliefs around the concepts of social identity and social justice.¹³ The program was redesigned in the effort to make the best of a difficult situation: the declining enrollment of underrepresented minority students, limits on ways to advance diversity objectives and the law school's institutional interest in the educational importance of diversity.

B. MAP Program Structure and Design

MAP has two basic components: a pre-orientation session in late August and a series of workshops during the academic year. The pre-orientation session is a four-day overnight retreat for first-year MAP students scheduled a week before the law school's general orientation for new students.¹⁴ After pre-orientation, MAP continues during the academic year with workshops on various topics, networking opportunities and social gatherings.¹⁵

Twenty-six incoming first-year students participated in the MAP pre-orientation in August, 2011. These students were selected from 71 applicants who sought admission through an open application process extended to all students admitted for the 2011 fall term. The 26 participants identified in the following ways: 15 as female, 11 as male, eight as African-American, four as Hispanic, nine as Caucasian, two as Asian and two as biracial of Asian, Native-American and African-American descent. There were two who did not respond to the racial identification question. Eighteen participants self-described as heterosexual or straight while two described themselves as gay or queer. The participants were selected based on their self-reported commitment to social justice, articulated reasons for participating in the program and past leadership experience.

13. Peer Support Services, Univ. of Michigan Law Sch., available at <http://www.law.umich.edu/currentstudents/studentservices/Pages/peersupportsvcs.aspx>.

14. *Id.*

15. *Id.*

C. MAP Pre-orientation—Daily Themes

1. Day 1—Introductions and Identity

Pre-orientation week is organized by daily themes, with specific learning outcomes for each day. The theme for the first day is “introductions and identity.” The primary goals are for the students to get acquainted, establish ground rules and expectations for the week, introduce social justice concepts and vocabulary and give participants a chance to reflect on the different aspects of their identity. The first half of the morning is spent on introductions and ice breakers. After lunch, the social justice session begins with students coloring an “identity pic,” a chart designed to reflect the range of social identities that they represent and a discussion of how certain aspects of identity give them power or privilege. Eventually, the range of identities represented in the room is documented on posters and hung on the walls. The students are asked to place different colored dots on the categories of identity to signify where they are most or least comfortable. The session ends with a discussion of which social identities had the most and least dots, and how this reflects the views and experiences of the participants.

2. Day 2—Intercultural Competence in Legal Practice

Goals for the second day are to help students understand how intercultural communication is relevant in legal practice and to develop an awareness and sensitivity to their personal biases and subjective attitudes that could affect the lawyer/client relationship. The morning session begins with a guest lecture from a local practitioner who discusses the importance of cross-cultural lawyering and why being a culturally competent lawyer is critical in his or her work. Afterwards, the students break into groups and “interview” one another with a range of uncomfortable questions about race, gender, religion and other social identities to show how difficult it can be to ask probing questions when establishing rapport with a new client. After lunch, the students participate in a mock negotiations exercise involving a same sex couple denied an apartment in a local housing cooperative. The students are randomly assigned roles as lawyers for the gay couple, lawyers for the conservative housing cooperative, the gay client who was denied housing and the religious residential manager of the cooperative. The students are instructed to “get into” the role play, adopting the biases, attitudes and points of view of the characters. After the exercise, the students discuss the exercise, first remaining in character in small groups and then out of character as a large group.

3. Day 3—Cultural Competence and the Law School Environment

The learning goals of the third day are for students to explore the relevance of power, privilege and oppression dynamics in conflict, to learn the various conflict styles, their preferred mode and how conflict competency can lead to effective learning and class participation. Before this session, the students are

required to participate in a conflict self-assessment tool.¹⁶ The morning is spent with the students reviewing the results of the assessment and exploring the various conflict modes through role-playing exercises.

The afternoon session is spent in a mock criminal law class that covers a controversial case about race. Last year, the students were assigned *People v. Goetz*.¹⁷ Bernhard Goetz was a white male convicted of illegal possession of a firearm after shooting four African-American youths on a New York City subway. This case works well in the exercise for two reasons. First, it is typically covered in first-year criminal law classes and it is led by a first-year law professor. Once the students learn this, they prepare in the same manner they would during the semester, which makes the session more realistic. Second, although race is central to the case, it is never mentioned in the opinion. This forces either the professor or students to raise the issue of racial identity. As the discussion unfolds, the difficulty of bringing the race of both the victim and the perpetrators into the conversation becomes more and more apparent.

After the mock class, the students participate in a facilitated discussion with the professor to examine the session. Although the case is typically used to teach reasonable belief as a justification of acting in self defense, the purpose of the mock class is to replicate as accurately as possible, the stress, pressure and difficulty of raising issues of identity in classroom discussion. Accordingly, substantive aspects of criminal law are not covered in the debriefing session. Instead, the emphasis is placed on how the topic of race was introduced and discussed.

4. Day 4—Putting Theories into Action

Finally, goals for the fourth day are for students to reflect on the week's activities and to consider expectations and challenges for the upcoming year. The morning begins with students writing a letter to their "iL self." They are asked to identify the values they hope to maintain, what they most appreciate about themselves and how they hope to grow over the next year. These are confidential and will not be read by others. The letters are sealed until the end of the academic year in May when they are returned to the participants and opened at the final MAP event. Upper-class MAP leaders lead the afternoon session and answer questions about what students should expect in the days, weeks and months ahead. They also provide their contact information, a list of their first-year law professors and talk about the student organizations and journals in which they are active. Pre-orientation concludes with a "charge" to the students, encouraging them to be leaders for social justice within the law school and legal profession. The participants are then each pinned with a sheriff's badge that says "Change Agent."

16. The self assessment tool is designed to measure a person's conflict style, or behavior in conflict situations. For an overview of conflict modes, see Kilmann Diagnostics' website, available at <http://www.kilmanniagnostics.com/overview-thomas-kilmann-conflict-mode-instrument-tki>.

17. *People v. Goetz*, 497 N.E.2d (N.Y. 1986).

5. Academic Year Programming

During the academic year, MAP programming continues with a conflict resolution training session that takes place in late October called Conflict in Context. Students practice various conflict styles in the session and reflect on their own preferences, explore strategies for developing increased conflict competency and learn tools to prepare for controversial classroom discussions. The session begins with a brief review of conflict modes. The students then are asked to act out several conflict scenarios using the style written on a “conflict card.” The conflict cards are laminated cards that are blank on one side with the name and definition of a conflict style on the other side. The conflict scenarios are relatively “low risk.” For example, negotiating a dispute about the use of a television set in a common area is one scenario. The students break into groups of four and the activity begins with two members of each group taking a turn acting out the scenarios while the others guess the style each is using.

In the second activity, students act out a scenario based on a “real” discussion that takes place in a law school classroom. Here, the stakes are higher with the scenario based on stories MAP students shared before the workshop about uncomfortable classroom moments. The students act out the scenario with no interruptions the first time through. Then they are asked to repeat the scenario and instructed to freeze their positions or pause so someone else in the audience can provide another response. After each “freeze,” the range of conflict modes and strategies that might work best are discussed. Although there is only one conflict training session during the academic year, there are several MAP events and meetings that take place in the winter semester. These include a “check in” meeting after grades are released, a networking reception with a local federal judge, rock climbing, a panel on law firm diversity and a cookout at the end of the year.

II. Evaluation and Three Key Outcomes

To assess the impact of MAP, a year-end survey was conducted in 2012 by Dr. Mary Wright and Dr. Justin Heinze of the University of Michigan Center for Research on Learning and Teaching (CRLT). The survey was administered online from March 30 to April 12 and generated an 89 percent response rate. The results appear in the tables below. Respondents were asked to describe their experience with MAP by answering survey questions on a five-point scale. Wright and Heinze also conducted a mid-year focus group in February 2012 that included seven of the 26 program participants. Fourteen students agreed to participate but the focus group was limited to seven, the optimal number for getting substantive feedback about how students applied the concepts they learned through MAP. Many of the comments from the focus group have been incorporated below.

The success of MAP depended on creating opportunities for meaningful cross-cultural engagement. To accomplish this, students had to be willing to share aspects of their personal history, beliefs and values in group discussions. To that end, the first day of pre-orientation was devoted to introductions,

building trust and learning a common vocabulary to discuss potentially controversial issues such as race, gender, sexual orientation and other aspects of social identity. Social justice and experiential learning curricula helped provide the basic framework and sequencing of activities.¹⁸ The personal connections made early in the week quickly evolved into friendships as the students worked together on increasingly challenging activities. During the course of those activities, they had extensive opportunities to talk, solve problems, compete and reflect on a range of topics within the common theme of social justice. The time spent together served as a foundation for relationships that continued during the academic year.

Outcome 1: Strong connections among participants led to increased feelings of confidence and higher levels of class participation in diversity related discussions.

Table 1. Year End Survey—Student Agreement with MAP Influence, 2012 (N=23)

(1=Strongly Disagree, 5=Strongly Agree) Because of my experience in the MAP Program, over the past year I:	MEAN (SD)	Strongly Agree %	Agree %	Neutral %	Somewhat Disagree %	Strongly Disagree %
Developed connection to a community of social justice leaders within the law school	4.78 (0.5)	82.6	13.0	4.3	0.0	0.0
Felt confident in the classroom	3.78 (0.4)	21.7	47.8	21.7	4.3	4.3

In MAP, students with different backgrounds shared a common interest in social justice. Bringing these students together before the start of classes established a powerful peer group that had a profound impact on their first year law school experience. MAP students viewed one another as cross-cultural allies, especially within the space of a law school classroom where they were most insecure and vulnerable. As allies, they looked to one another for support in class discussions addressing issues of race and other aspects of social identity with the goal of airing diverse points of view. MAP students who participated in the focus group described this dynamic in their own words:

18. See *Teaching for Diversity and Social Justice* (Maurianne Adams, Lee Anne Bell & Pat Griffin, eds., 2nd ed., Routledge 2007); Sharon Chappelle & Lisa Bigman with Francesca Hillyer, *Diversity in Action* (Project Adventure Inc. 1998).

We all have a group of allies that we know will support us in class. I've fought battles on race (as a white person) knowing that others will fight battles on sexual orientation on my behalf. Having community gives [me] courage to address the biases and privilege we encounter in class.¹⁹

There are going to be discussions that are colored by issues of race, or colored by issues of class. Not everyone thinks about it, so knowing that there are four or five other people in the room that are thinking about it, not necessarily the same as you, but in a similar way, and if you say something you'll get backed up. It's helpful. Otherwise, I would be a lot more reticent to speak up when I know I'm not in a popular position.²⁰

With a supportive community of fellow MAP participants in the classroom, students are more confident about taking an unpopular point of view or raising diversity-related issues in class discussions.

I think having a community of fellow students committed to social justice and diversity awareness has been essential to my feeling confident in law school. That supportive assignment makes me feel confident speaking up in class about issues of race or social identity.²¹

If more students feel confident about speaking up on these issues, the result is a shared responsibility for creating an inclusive classroom space. Students of color in particular may feel burdened to point out instances of bias and race discrimination but doing so repeatedly can be both emotionally exhausting and demoralizing.²² When white students vastly outnumber students of color, it is critical that the responsibility and initiative to question assumptions and challenge stereotypes does not fall exclusively on the few students of color who are present. As one African-American student pointed out during the pre-orientation session:

19. Mary Wright & Justin Heinze, Michigan Access Program Focus Group Report, University of Michigan Center for Research on Learning and Teaching (CRLT). On February 3, 2012, Wright and Heinze conducted a focus group with seven participants in the August 2011 Michigan Access Program (MAP) Pre-Orientation. The 60-minute focus group protocol incorporated a discussion as well as a brief writing exercise. The group was recorded and transcribed. The mission of CRLT is to support and advance research based teaching at the University of Michigan.
20. *Id.*
21. Wright & Heinze, Year-End Survey Report (on file with author). An online survey was distributed to all MAP participants from March 30-April 11, 2012, at the conclusion of the year's programming efforts.
22. See Meera E. Deo, Maria Woodruff & Rican Vue, Paint By Number? How the Race and Gender of Law School Faculty Affect the First-Year Curriculum, 29 *Chicano-Latino L. Rev.* 1 (2010).

I don't want to be the angry black girl constantly raising these issues so everybody can roll their eyes and say, oh there she goes again. I appreciate when a white student speaks up because it's one time that I don't have to do it.²³

Students of color, in particular, also worry about sounding emotional or biased if they raise issues of racial identity in class. Although many students of color come to law school to learn how to be advocates for social justice, they often find it difficult to speak up for the issues most important to them. Over time, this silence can translate into feelings of powerlessness and shame.²⁴ In essence, students blame themselves for failing to speak up, not realizing how issues of power, privilege and oppression play out in the law school classroom.²⁵ These issues are critically analyzed and discussed in MAP, offering participants an opportunity to think through the professor's influence over diversity discussions, the ways in which race, ethnicity and gender influence the classroom experience and how the repeated and consistent exclusion of racially diverse perspectives can alienate and marginalize students of color. Through a range of skill-building exercises, students gain an increased understanding of how law school culture and norms can stifle conversations about diversity, allowing them to better choose when and how to raise these issues.

As one student pointed out:

Looking back, I think the mock [criminal law] class...really brought home the concepts and skills that MAP leadership/planning expressed they wanted to convey to us. That class pretty strongly mirrored my actual classroom experiences this year, where an issue of race might be obviously important to a case, but not pointed to in classroom discussion. I felt more empowered to speak up in class and to ask questions because of [the pre-orientation] mock class.²⁶

Creating meaningful ways for students of different racial backgrounds and social identities to interact and form friendships is the absolute strength of the MAP model because it dramatically improves the self-confidence and sense of belonging among participants. When students are accepted by their peers and can rely on their support, they are empowered and much more likely to speak up in class about issues of race and identity. Each time these critical issues are raised in class discussion, the educational environment becomes a more inclusive space for all students.

23. Video tape: MAP Pre-O Mock Classroom Workshop, Univ. of Mich. Law School (2012) (on file with author).

24. See Walter R. Allen & Daniel Solorzano, *Affirmative Action, Educational Equity and Campus Racial Climate: A Case Study of the University of Michigan Law School*, 12 *La Raza L.J.* 237 (2001).

25. See *id.*

26. See Wright & Heinze, *supra* note 18.

Outcome 2: MAP students gained tools and skills that increased their capacity for resolving conflict and becoming culturally competent lawyers.

Table 2. Year End Survey—Student Agreement with Achievement of MAP Objectives, 2012 (N=23)

(1=Strongly Disagree, 5=Strongly Agree) The MAP Program helped me develop:	MEAN (SD)	Strongly Agree %	Agree %	Neutral %	Somewhat Disagree %	Strongly Disagree %
Tools for creating a more socially just environment in the law school	4.26 (0.8)	39.1	52.2	4.3	4.3	0.0
Inclusive leadership skills within the legal profession and law school environment	4.17 (0.8)	39.1	39.1	21.7	0.0	0.0
Intercultural communications skills for relating to diverse clients	4.17 (0.7)	34.8	47.8	17.4	0.0	0.0
Conflict resolution skills	3.91 (0.6)	13.0	65.2	21.7	0.0	0.0

Interpersonal and classroom conflicts that involve issues of race, sexual orientation, gender or other aspects of social identity can be a significant source of stress for students.²⁷ Students from historically oppressed groups in particular can find themselves repeatedly in conflict with classmates and professors because of what they perceive as insensitive comments, backhanded insults or outright hostilities.²⁸ MAP offered opportunities for students to learn and practice culturally competent conflict resolution skills through pre-orientation workshops and academic year training sessions. The students engaged in role playing exercises with an emphasis on interpersonal conflict between peers and reenacting “hostile” or “uncomfortable” classroom moments. All of the exercises were drawn from “real” conflicts that occurred at the law school or “MAP moments” reported by students over the course of the year.

In the context of professional development, MAP introduced the importance of cross-cultural competence as a legal skill. When lawyers and clients come from different backgrounds, cultural differences can have a tremendous impact

27. See Meera E. Deo, Maria Woodruff & Rican Vue, *supra* note 21.

28. *Id.*

on the ability to form trusting relationships, judge credibility, develop case strategy and identify client-centered remedies.²⁹ Students from diverse racial and ethnic backgrounds were encouraged to view their experiences navigating issues of race as an asset in legal practice, not a liability. Again, this is contrary to the classroom experience in which many students of color believe that their life experience is unimportant or marginalized.

Outcome 3: MAP empowers students to become campus leaders, committed to making the law school a more inclusive, socially just, learning community.

Table 3. Year End Survey–Student Agreement with MAP Influence, 2012 (N=23)

(1=Strongly Disagree, 5=Strongly Agree) Because of my experience in MAP, over the past year I:	MEAN (SD)	Strongly Agree %	Agree %	Neutral %	Somewhat Disagree %	Strongly Disagree %
Developed a personal commitment to creating a more socially just environment in the law school	4.64 (0.7)	77.3	9.1	13.6	0.0	0.0
Participated in leadership opportunities in the law school	4.26 (1.1)	56.5	26.1	8.7	4.3	4.3
Effectively intervened in identity-related conflicts as they arose (e.g. classroom and email discussions)	3.96 (0.7)	21.7	52.2	26.1	0.0	0.0

MAP participants are admitted with the expectation that they will assume informal and formal leadership roles at the law school. They are selected, in part, because they have demonstrated their capacity for leadership prior to law school as social activists, community organizers, educators, founders of organizations and advocates for change. Although they represent less than 10 percent of the entering class, their actions can advance the cause of social justice within the school and create a more inclusive learning community for all students. By the conclusion of the academic year, 86.4 percent of participants indicated a personal commitment to do their part to make the law school a more socially just place and 82.6 percent had already assumed leadership positions within the school. MAP helps to prepare these students

29. See Susan Bryant, *The Five Habits: Building Cross-Cultural Competence in Lawyers*, 8 *Clinical L. Rev.* 33 (2001).

for leadership roles on campus by connecting them with a supportive network of like-minded students and providing the tools and skills to help them become culturally competent leaders.

III. Conclusion

While there is no proxy or adequate replacement for the decline in racial diversity at the University of Michigan Law School, MAP provides a way to mitigate this loss through empowering participants to trust their personal orientation and voice on issues of oppression and social justice. Speaking up in class on these topics can be daunting but, with training and support, MAP participants report feeling more confident about discussing issues of race and identity in class. When MAP participants take the initiative to speak up, they create an opportunity for other students in the room to join the dialogue and benefit from the discussion.

As minority enrollment in law schools continues to decline, there are a growing number of pre-admissions recruiting efforts to increase the pool of minorities applying to law school. Such efforts include street law programs that expose high school students to the legal profession, an alternative law school entrance exam that predicts lawyer effectiveness instead of first-year grades, and bridge programs that help promising undergraduates of color apply to and prepare for law school.³⁰

While these and similar efforts are critical, often overlooked is the post-application stage of supporting students of color once they have matriculated to law school.³¹ At Michigan Law, it was crucial to address the immediate negative impact of Proposal 2. Thus, the focus had to be on post-enrollment efforts to help students navigate the racial composition and culture of the law school community.³² Through teaching conflict resolution skills and the importance of respecting and valuing the perspective of others with different life experiences, MAP programming has evolved over its 50 year history to meet the needs of today's students. The program's current iteration already has had a significant impact on first-year experience of participants.

30. For information regarding pipeline programs, see Law School Diversity Pipeline Program, Street Law, *available at* http://www.streetlaw.org/en/programs/law_school_diversity_pipeline_program#Tab=Background. For a discussion of an alternative to the LSAT, see Marjorie M. Shultz & Sheldon Zedeck, Predicting Lawyer Effectiveness: Broadening the Basis for Law School Admission Decisions, 36 *Law & Soc. Inquiry* 620 (2011) ("Heavy emphasis on LSAT scores in admission decisions substantially reduces the presence of African-American and Latino students in law school and the profession, as well as diminishing the prospects of inclusion for those from most non-elite families."). For examples of minority bridge programs, see Sponsors for Educational Opportunity, *available at* <http://www.seo-usa.org/>, and the Cleo DiverCity Network's Six-Week Summer Institute, *available at* <http://www.cleoscholars.com/index.cfm?fuseaction=Page.viewPage&pageId=673>.

31. See Ellison S. Ward, Toward Constitutional Minority Recruitment and Retention Programs: A Narrowly Tailored Approach, 84 *N.Y.U. L. Rev.* 609 (2009).

32. *Id.* at 618-22.

Despite declining campus diversity—whether because of anti-affirmative action ballot initiatives, the increasingly competitive nature of law school admissions or future Supreme Court rulings—pre and post admissions initiatives are necessary to both increase the pool of diverse candidates for law school and improve the learning environment for all students. As the struggle to create an inclusive educational environment grows ever more daunting, it is critical that institutions of higher education remain diligent in their efforts to advance diversity, even at a time when it would be easier to simply abandon the fight.

**Appendix: Comparison of End-Of-Year Map Survey Responses
2012 & 2013³³**

2013 N=20 2012 N=23	2013 Mean (S.D.)	2012 Mean (S.D.)
Recommended participation in the MAP Program	4.84 (0.5)	4.78 (0.6)
Shared ideas or resources from MAP sessions with a friend/colleague	4.45 (1.1)	4.48 (0.6)
A personal commitment to creating a more socially just environment in the law school	4.90 (0.3)	4.64 (0.7)
Self-confidence about my first year of law school	4.75 (0.6)	4.26 (1.1)
Tools for creating a more socially just environment in the law school	4.60 (0.7)	4.26 (1.1)
An awareness of my own assumptions about identity and social justice and how I developed these	4.55 (0.6)	4.39 (0.8)
Conflict resolution skills**	4.45 (0.8)	3.91 (0.6)
Intercultural communications skills for relating to diverse clients	4.35 (0.8)	4.17 (0.7)
Inclusive leadership skills within the legal profession and law school environment	4.15 (0.8)	4.17 (0.8)
Developed connections to a community of social justice leaders within the law school	4.65 (1.0)	4.78 (0.5)
Participated in leadership opportunities in the law school	4.55 (0.7)	4.26 (1.1)
Effectively intervened in identity-related conflicts as they arose in the law school (e.g. classroom and email discussions)	3.90 (1.1)	3.96 (0.7)
Felt confident in the classroom	4.15 (0.8)	3.78 (0.4)

**There is a significant difference between 2013 and 2012 (two-tailed t-test, $t=2.60$, $p=0.01$)

33. *Id.* April 11 through May 6, 2013, the online survey was distributed to all students participating in the Michigan Access Program (MAP). Twenty of the 22 participating students completed the survey, a 91 percent response rate. This table was prepared by Mary Wright and Joe Howard, CRLT, and compares the 2012 and 2013 outcomes.