

## Book Review

Dorothy H. Evensen and Carla D. Pratt, *The End of the Pipeline: A Journey of Recognition for African Americans Entering the Legal Profession*. Durham: Carolina Academic Press, 2012, pp. 344, \$40.00.

Reviewed by Meera E. Deo

Most authors facing the daunting challenge of publishing a book focus solely on making a valuable contribution to their field. With *The End of the Pipeline: A Journey of Recognition for African Americans Entering the Legal Profession*, Dorothy H. Evensen and Carla D. Pratt not only offer a substantial addition to the literature in multiple fields, but do so using an innovative format. The book reports on findings of an empirical study of African Americans who traveled a precarious pathway to legal practice. Substantively, the book continues academic conversations involving students of color in higher education, the trajectory of young black professionals, the benefits of mentoring, and the importance of pipeline programs. Thus, the project's wide audience includes scholars and administrators working in law, education, sociology, psychology, and related fields. The unique format of the book provides an especially dynamic innovation: the authors begin with a presentation of their findings, then masterfully weave their findings with Critical Race Theory, and finally incorporate short essay responses to the study from various experts in related fields who reflect on the principal study while drawing on their own experience and scholarship.

Evensen and Pratt make clear that their purpose in writing the book is to focus on African American attorneys' stories of success in spite of the precarious pathways that lead to their achievement. This focus on success represents a conscious decision to place the study "within a discourse of *achievement*" as a purposeful counterpoint to the many projects examining the failures of students of color (xxviii, emphasis in original). The focus is on African Americans both because they are the largest community of color underrepresented in the legal profession as compared to their U.S. population rates, and also because belief in a "post-racial" America might lead some to believe that race is no longer a salient factor when studying achievement.

In fact, Evensen and Pratt find that "race is still a pervasive factor in navigating the pipeline to the legal profession" (90). The authors explore

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this relationship further, devoting one chapter of the book to examining their findings through the lens of Critical Race Theory. This chapter focuses on the data points highlighting “the subtle ways in which □ race operated as an obstacle in the pipeline to the profession” (91), including the sense of many participants that they were outsiders on predominantly white law school campuses.

Methodologically, the authors outline their study as a mixed-method analysis, primarily qualitative in nature. Their goal was to explore “pipeline programs,” formal public or private initiatives that facilitate African American passage from pre-law school through successful practice of law. In his glowing Foreward, Michael Olivas specifies that he is not usually fond of the “pipeline” metaphor—preferring the organic, powerful, adaptable “river” instead (xii). Yet, he found the study comprehensive, “riveting,” and full of important lessons not only for African Americans, but also immigrants and other attorneys (xiii). The initial study includes data from interviews with 28 African American attorneys who self-identify as having “traveled a precarious [path]” to reach their current professional position (xxix). In addition, the authors facilitated two focus groups with a total of 16 African American attorneys. Because only one-third of the participants in the original interviews and focus groups had participated in formal pipeline programs, the authors decided to pursue additional data collection specifically focused on participation in pipeline programs. Thus, their “wave two” study consists of short (30-minute) interviews with 16 African American second- and third-year law students (those nearing the end of the pipeline) who self-identified as beneficiaries of formal pipeline programs. One potential limitation of the study is the challenge of generalizing results from the relatively small sample size of 60 research subjects, not all of whom participated in pipeline programs, to the thousands of African American attorneys at large; the conclusions are nevertheless interesting and important.

The findings focus on three broad concepts: recognition, motivation, and openings/barriers within the pipeline. Recognition best represents the overall theme of the book, including early formal recognition of talent by parents or educators and a recognition of the path itself by the individual working toward legal practice. Their focus on motivation relates directly to a discussion of mentors and other “facilitators” along the pipeline. The imagery of the pipeline works best with the discussion of openings and barriers—those individuals, institutions, and events that either facilitate or block passage through the pipeline. For instance, the authors consider the LSAT as one significant barrier blocking access to the legal profession for African Americans. Even after admission to law school, additional barriers—including financial need, academic preparation (or lack thereof), and environmental factors on the law school campus—prevent ease of access through legal education. African American law school graduates then face additional challenges passing the Bar exam and finding employment. Many of those who successfully navigate blockages at all stages of the pipeline do so through the use of facilitators, or

“routers,” who provide the information, support, and other resources necessary to continue on the path to ultimately join legal practice.

The discussion of “journeys” is one vivid highlight of the section on findings, where the authors recount the representative pathways of their research subjects. The paths are characterized as “(relatively) smooth sails,” “divergent paths,” and “incredible journeys.” Placement in each category depends on the ease of journey, number and challenge of blockages, and successful intervention of facilitators who re-route the subjects back to the path toward legal practice. For example, Leslie has a relatively “smooth” passage through the pipeline—encouraged by two college-graduate parents, formally recognized as “bright and hard-working,” and admitted to a pipeline program at an early age (74). Yet, his high school counselors discouraged him from applying to the Ivy League college he ultimately attended. His father’s encouragement and the college’s (now discontinued) minority recruitment weekend for admitted students nevertheless cemented his decision to enroll there. The “incredible journeys” recounted in the book include that of Doris, a mother at 15, who worked while pursuing her GED, then joined the military, later transferred from community college to a four-year institution, and finally entered a local private law school through their alternate admissions program after a disappointing performance on the LSAT. Though her incredible journey took her on a number of detours from legal practice, she ultimately prevailed and fulfilled her dream of becoming an attorney. The authors also cover the “divergent paths” taken by individuals in their research sample, including Tessa, who left college, took up temp work, was placed at a large corporate law firm, and realized there that she herself could learn to perform the tasks of the attorneys around her.

Drawing from these findings, the authors offer a number of policy suggestions. These are primarily focused on structural suggestions to maximize the effectiveness of formal pipeline programs. For instance, the authors suggest that pipeline programs connect with one another, coordinating and communicating best practices, sharing resources, and evaluating efficacy. Those working on pipeline programs will find these implications especially useful, as will law school administrators.

While the findings, theoretical framework, and policy suggestions are all valuable and informative, perhaps the most rewarding chapter of the book is the one that includes essays from experts in related fields offering their own responses to the study and suggestions for future research. Evenson and Pratt’s original project touches on a number of topics that are worthy of detailed study on their own: the importance of academic support programs in facilitating student success; the cultural resources offered by race/ethnic-specific organizations; and the unique role of historically black law schools in training African American lawyers, to name but a few. Each of these and other topics is considered specifically by experts in various fields who draw on their own experience to reflect on conclusions of the study.

For instance, Preston Green reflects on how segregation in public elementary schools affects success at the early stages of the pipeline. He draws on his extensive background in education law to tie the recent Supreme Court case limiting voluntary desegregation efforts in public primary and secondary schools<sup>1</sup> with the pipeline programs that are the focus of the study. Professor Green's essay also suggests additional compelling state interests that courts could rely on to uphold the use of race as a factor in admissions/enrollment decisions. These alternate interests include reducing existing "achievement gaps" and preparing students for interaction in a "culturally pluralistic society" (147-48).

Janice Austin focuses her essay further along the pipeline, on law school admissions. Currently leading the Office of Admissions at the University of California, Irvine, School of Law, Austin ties the qualitative data gleaned from the focus groups and interviews included in Evensen and Pratt's study with the narratives she reads in law school application essays. I read Austin's contribution as a call for the redefinition of merit, reminding admissions officials that they have the responsibility of recognizing how leadership skills, the ability to overcome adversity, and the tenacity to surmount life obstacles may count at least as much as grades and LSAT scores in determining who will succeed as a lawyer.<sup>2</sup>

One of the most powerful essays in the book is Kimberly Griffin's contribution on mentorship. Griffin begins by defining "developmental relationships" as those that focus on the junior person's growth (197). She goes on to elaborate on other themes central to the book itself, including the necessity of role models and the importance of merging academic and psychosocial support. Psychosocial support may be especially relevant not only for African Americans, but for individuals from any group that is underrepresented in legal practice or marginalized in law school and society, as mentors must help their junior colleagues navigate the social context of the profession (204-05). Perhaps most poignantly, Griffin also points out a central corollary that is not directly addressed elsewhere in the book: because the "recognition" necessary for success depends largely on serendipity, "[i]t is impossible to say how many other talented students go unrecognized or lack access to resources, relationships, or support that would help them reach their highest potential" (205).

1. *Parents Involved in Cmty. Sch. v. Seattle Sch. Dist. No. 1*, 551 U.S. 701 (2007).
2. Scholarship in the law and social sciences has discussed whether LSAT scores and GPAs should be the primary determinants of law school admissions, with some calling for a redefinition of merit to reward other achievements that may be at least as likely to contribute to success in legal practice, including overcoming adversity, demonstrated leadership skills, and community involvement. *See, e.g.*, Derrick Bell, *Faces at the Bottom of the Well: The Permanence of Racism* 140 (Basic Books 1992) (arguing that a redefinition of merit would better take account of great successes done in non-traditional formats); Peter H. Schuck, *Affirmative Action: Past, Present and Future*, 20 *Yale L. & Pol'y Rev.* 1 (2002).

By including this collection of essays, the authors allow us to glimpse how experts in various fields respond to the study and also encourage us to thoughtfully apply our own experience to their findings. As an interdisciplinary scholar trained in law and sociology, I was especially excited about the many mergers in the book: empirical data with theory, both substantive and procedural contributions, the inclusion of education with law, and targeting both academics and administrators. This opportunity for reflection, applying our own experiences or research to those findings, may be one of the most exciting aspects of the book.

For instance, since my interdisciplinary scholarship often incorporates social capital theory, I repeatedly thought of how Evensen and Pratt's findings on "routers," "divergent paths," and professional success for African American lawyers fit within this framework. Social capital treats relationships as resources, much like money in the bank or cans of food in a pantry.<sup>3</sup> The main distinguishing factor is that with social capital the relationship itself is the resource, rather than any tangible object.<sup>4</sup> Scholars have distinguished between two forms of social capital: bonding social capital, which refers to strengthening existing close ties between people who are similar to one another, and bridging social capital, where individuals create broad networks or form casual connections with people who may be very different.<sup>5</sup> Bonding social capital draws on "strong ties" from within "bounded networks."<sup>6</sup> As an example of bonding social capital, consider how families and communities come together to support one another, lending money, shelter, or emotional support to weather any type of storm. On the other hand, bridging social capital can be associated with "weak ties" and "cosmopolitan networks."<sup>7</sup> These relationships have more to do with forging even tenuous connections between people from diverse backgrounds. Friendly but faint interactions, where neither party provides strong support or much investment, can still yield incredible payoffs. Consider, for instance, a job announcement you may share with a listserv: it takes minimal effort on your part to realize that other members may be interested and forward the message along; you may barely

3. Larissa Larsen, et al., *Bonding and Bridging: Understanding the Relationship between Social Capital and Civic Action*, 24 *J. Plan. Educ. and Res.* 64 (2004); Francis Fukuyama, *Social Capital, Civil Society and Development*, 22 *Third World Q.* 7 (2001).
4. James S. Coleman, *Social Capital in the Creation of Human Capital*, 94 *Am. J. Soc.* S95 (1988); Robert D. Putnam, *Bowling Alone: America's Declining Social Capital*, 6 *J. Democracy* 65 (1995).
5. Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (Simon & Schuster 2000); Michael Woolcock & Deepa Narayan, *Social Capital: Implications for Development Theory, Research, and Policy*, 15 *World Bank Res. Observer* 225 (2000); David Conrad, *Defining Social Capital* (Centre for Men's Health/Leeds Metropolitan Univer. 2006) (on file with the author); Larissa Larsen, et al., *supra* note 3.
6. Ricardo Stanton-Salazar, *Manufacturing Hope and Despair: The School and Kin Support Networks of U.S.-Mexican Youth* (Teachers College Press 2001).
7. Mark S. Granovetter, *The Strength of Weak Ties*, 78 *Am. J. of Soc.* 1360 (1973); Stanton-Salazar, *supra* note 6.

know other members who receive the message; yet, someone may apply and ultimately begin a new position based on the information you supplied. Their ability to access that information was based on your tenuous connection to one another. This is bridging social capital at work.

*Pipeline* seems most obviously relevant to bonding social capital—how connecting with nurturing and supportive individuals invested in your success can help you move ahead. In fact, Evensen and Pratt’s findings suggest that bonding social capital may even be necessary for success, at least for certain marginalized populations that travel a precarious trajectory through the pipeline. Blockages will inevitably disrupt even a smooth journey; without the social capital provided by “routers,” especially for those traveling on “divergent paths” or “incredible journeys,” many aspiring attorneys fall off track and lack the means, ability, or resources to return.

While the benefits of bonding social capital in this context may be self-evident, the “weak ties” associated with bridging social capital may also be helpful for African American attorneys traveling a difficult path to practice. Few African Americans or individuals from other marginalized groups begin with close connections to attorney mentors who can help them understand challenging legal concepts in law school or navigate the formal professional norms that will be expected of them upon graduation. Instead, their most trusted advisors and supporters may come from outside of legal practice; these individuals often provide the psychosocial support Griffin discusses, demonstrating bonding social capital at work.

Yet, forging even casual relationships with people from within the profession could go a long way in helping aspiring attorneys succeed. The book itself includes data revealing stories of success that are predicated on networking opportunities created through participation in pipeline programs, where the junior member may have only tenuous connections to other participants. Often, these casual relationships result in some information exchange, the recognition of a role model, or an opportunity to be inspired—all useful and perhaps even necessary for those traveling precarious pathways.<sup>8</sup>

8. Recent research indicates that white and non-white students alike report high levels of support from faculty generally, but especially from faculty of color and female faculty (See Meera E. Deo, Walter R. Allen, A.T. Panter, Charles Daye & Linda Wightman, *Struggles & Support: Diversity in U.S. Law Schools*, 23 *Nat'l Black L.J.* 71, 86–87 (2010)). This support could be considered a form of bonding social capital since it draws on close connections. Yet, disregarding individual relationships between faculty and students, consider the effect of having an African American law professor in the front of the classroom. Race, gender, and other background characteristics may play important roles in curricular development and classroom discussion (See Meera E. Deo, Maria Woodruff & Rican Vue, *Paint by Number? How the Race & Gender of Law School Faculty Affect the First Year Curriculum*, 29 *Chicano-Latino L. Rev.* 1 (2010)). Further, African American law professors may be especially important to their African American students. Consider, for instance, data from a national study on law student diversity that includes reflections from a multiracial African American and Native Hawaiian student: “I take all my classes seriously, but classes that are taught by [b]lack female professors, I tend to take a lot more seriously.” (Deo, et al., *supra* at 87). The student discusses the effect of seeing these particular professors as inspiring

In conclusion, it seems clear that Evensen and Pratt have made a valuable contribution. Their book could be especially useful for academics with an interest in African American trajectories. In addition, law school administrators and others working toward successful outcomes for students of color will learn from the detailed findings presented by the authors. The essays from scholars working in related areas will no doubt speak to those in even more diverse fields. One methodological limitation of the study is worth mentioning only briefly. Though the authors highlight as a “finding” that the pipeline is precarious, their sample by definition consisted of those who traveled a precarious path to successful legal practice. Perhaps all African Americans would identify this way, though it is unclear whether the results of this study could be generalized to the population at large. Interestingly, the African American law students participating in their “wave two” study were individuals who identified formal pipeline programs as key to their success, though they did not necessarily identify themselves as traveling a rough road to legal practice. Not surprisingly, the authors determined that the “wave two” population as a whole had a somewhat easier time than those in the original sample. Nevertheless, it added value to the study to present findings from a law student sample that largely mirrored those of the attorney sample.

One of the most important aspects of this book is that it offers a template for individuals and communities working toward achieving any number of goals, as it presents data on facilitating success. The lessons from this study could be especially helpful for African Americans and others who may struggle as they make their way through law school and begin legal practice. The authors conclude that pipeline programs play a key role in the success of African American law students. Specifically, they recognize pipeline programs as “structural mechanisms to counteract or leverage against the detrimental effects of poor neighborhoods, underfunded schools, poverty or economic hardship, and the performance gap especially as it relates to performance on high stakes, standardized measures like the LSAT” (229). The contributing essays point toward the “supporting roles” that mentors or routers, supportive student organizations, and caring administrators can play to increase the chances of success. The most interesting aspect of the book may be the invitation for individual analysis of the findings. As readers apply their own background and experience—whether about social capital, interdisciplinary research, or otherwise—to what the authors present in this excellent book, we have an opportunity not only to learn about the study findings, but also to reflect on how the trajectory to success interacts with our own work.

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role models: “Just the fact that they’re there and it’s evident that young [b]lack females like myself can become professors, mentors to other individuals, and set a path. That’s definitely very motivating for me.” *Id.* I consider this student’s motivation to be a result of bridging social capital, drawn from a relationship between two individuals whose loose connection to one another can nevertheless create a profound effect.