

The Human Side of Law School: The Case for Socializing Minority Recruitment and Retention Programs

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Most law schools rely on a rather uninspiring model of persuasion to recruit and retain prospective minority students. The mass mailings and pamphlets on which so many law schools rely only present a story of numbers. For instance, school ranking, average graduation rate, and bar passage rates are front and center on many, if not most, law school websites, but this limits their narrative to a purely statistical story. But scholars have long noted that facts alone are not particularly persuasive or motivational.¹ People typically absorb information through self-persuasion, by uncritically accepting that which they find agreeable and critically analyzing that which they find disagreeable,² then selectively recalling the information that suits their pre-existing beliefs.³ This is why fact-based recruitment models lack inspiration; they are messages without a pulse. Emails, phone calls, and pamphlets might as well be communicated in another language altogether if they fail to address the issues that prospective students find most concerning, such as the day-to-day experience of attending a certain law school, the student's own likelihood of succeeding in that law school's environment, and the kinds of people and personalities that the

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1. See Brendan Nyhan & Jason Reifler, *When Corrections Fail: The Persistence of Political Misperceptions*, 32 POL. BEHAV. 303, 323-24 (2010) (finding that participants' beliefs were strengthened instead of weakened by a list of unfavorable facts in a process otherwise known as the "backfire effect.").
2. See generally Charles S. Taber & Milton Lodge, *Motivated Skepticism in the Evaluation of Political Beliefs*, 50 AM. J. POL. SCI. 755 (2006) (finding that participants assimilated knowledge in a biased manner, otherwise known as the "confirmation bias.").
3. See Elizabeth M. Norris, *The Impact of Information Processing Goals And Capacity Restrictions On Attitude-Memory* 4 (August 02, 2007) (unpublished M.A. thesis, Queen's University) (on file with Queen's Research & Learning Repository, Queen's University) (describing a study in which, overall, "it was found that the communists tended to recall more pro-communist information relative to anti-communist information and that the anti-communists tended to recall more anti-communist information relative to the pro-communist. . . . [T]he differences in recalled information became significant so that more attitude-consistent information was recalled.").

recruiting law school attracts. These are social questions, questions whose answers are deeper than mere facts. These questions cannot be answered with facts because they call for experiences.

Every law school has another version of itself to present. In addition to presenting numbers to prospective students, law schools can present the current students who achieve those numbers. Law school recruitment could, in other words, make its case from the inside out.⁴ Law school recruiters who reach the prospective minority student from this social perspective are more likely to persuade them, for it allows the recruitment effort and the prospective student to speak the same language and address the same concerns. A social approach reflects the observation that, “It is with the heart that one sees rightly.”⁵ While this model is useful for students in general, it is especially useful for minority students because of the widespread suspicion that being diverse is a liability for law students, that “no one really believes in [the need for] diversity.”⁶ Schools can promote a message with a warm pulse. A prospective minority student is most likely to apply to and stay in a particular school when he or she relates to the faces behind the facts.

Part I of this paper further explores the importance of social cognition in decision making. This paper then proposes a three-part recruitment and retention program for minority students: First, Part II considers how law schools can utilize social interactions through the creation of mentor-mentee relationships between law students and prospective students; Second, Part III investigates the rich recruitment potential of hosting social events, such as mock trials and moot courts; and Third, Part IV explores the advantages that a vibrant social media presence can have for law schools’ minority recruitment efforts. Part V concludes this paper with a call for law schools to reveal the human side to their story. Many of these suggestions may work well for individuals who would not self-identify as a minority, but they will work especially well for minority students because they will counteract a strong myth that law schools are not welcoming to minority students.

I. Social Cognition as a Cornerstone of Decision Making

Surprisingly little information is publically available about why law students in general, let alone minority law students in particular, choose one

4. See TED Talks: Simon Sinek: How Great Leaders Inspire Action, TED.COM, http://www.ted.com/talks/lang/en/simon_sinek_how_great_leaders_inspire_action.html (last visited Feb. 3, 2015) (“When we can communicate from the inside out, we’re talking directly to the part of the brain that controls behavior, and then we allow people to rationalize it with the tangible things we say and do. This is where gut decisions come from. You know, sometimes you can give somebody all the facts and figures, and they say, ‘I know what all the facts and details say, but it just doesn’t feel right.’”).
5. Linda Kruger, *What is Essential is Invisible to the Eye: Understanding the Role of Place and Social Learning in Achieving Sustainable Landscapes*, 6 IUFRO RESEARCH SERIES 173, 173 ((S.R.J. Sheppard & H.W. Harshaw, eds. 2000) (internal citation omitted).
6. Anita Bernstein, *Diversity May Be Justified*, 64 HASTINGS L.J. 201, 213 (2012) (quoting James Lindgren, *Conceptualizing Diversity in Empirical Terms*, 32 YALE L. & POL’Y REV. 5, 5 (2005)).

school over another. Even if the ABA were to send out questionnaires to address this information gap, many prospective students would probably be unable to adequately explain the reasoning behind their school preferences. Studies have long shown that, when pressed, many people are uncertain⁷ or even wrong⁸ about what drives their affects and attitudes, because “it is the *result* of thinking, not the process of thinking, that appears spontaneously in consciousness.”⁹ Prospective minority students are certainly no exception.

If my experience is any indication, prospective students put the most amount of weight on school rank. While rank is not very important between similarly situated schools, the incredible weight that prospective students attach to it is impossible to ignore. The consequences of rank exert a very real effect on who applies to which schools, and “a thing is real if it is real in its consequences.”¹⁰ Regardless of how misleading law school ranking may be, it is a simple, objective marker that offers to prospective students the comfort of certainty for a very uncertain time in their lives.¹¹ Ranking is, in other words, the perfect heuristic. Law schools cannot radically alter their rankings, but they can provide that same sense of certainty on far more favorable grounds by taking the initiative and introducing themselves to prospective minority students. In the context of that relationship, ranking can be put into its proper context.

The problem is that just as prospective students put undue weight on the questionable value of things like school rank, so too do law school recruitment and retention programs put undue weight on the questionable value of mass mailings, fact-heavy pamphlets, and empty promises. Programs like these lack persuasive power, because they fail to address the student’s central question—“Can I excel at this school?”

7. See Richard E. Nisbett & Timothy DeCamp Wilson, *Telling More Than We Can Know: Verbal Reports on Mental Processes*, 84 *PSYCHOL. REV.* 231, 255 (1977) (analyzing why “people are so poor at telling the difference between private facts that can be known with near certainty and mental processes to which there may be no access at all.”).
8. See generally George Goethals & Richard Reckman, *The Perception of Consistency in Attitudes*, 9 *J. EXPERIMENTAL SOC. PSYCHOL.* 491, 491 (1973) (hypothesizing that people can reduce the cognitive dissonance of changing their minds about a matter by “overlook[ing], distort[ing], or forget[ting] one’s original position.”).
9. Margit E. Oswald & Volker Gadenne, *Are Controlled Processes Conscious?*, in *CONTROL OF HUMAN BEHAVIOR, MENTAL PROCESSES, AND CONSCIOUSNESS: ESSAYS* 87, 98 (Walter J. Perrig & Alexander Grob eds., 2000) (emphasis added) (internal citation omitted).
10. DANIEL GOLEMAN, *SOCIAL INTELLIGENCE* 20 (2006).
11. See Jeffrey Stake, *Interplay between Law School Rankings, Reputations, and Resource Allocation: The Ways Rankings Mislead*, 81 *IND. L.J.* 229, 262-63 (2006) (“In addition to being entertaining, rankings are decisive. When people of modest means face the prospect of spending \$100,000 on a product they know nearly nothing about, rankings offer security by resolving doubts. It is much more comforting to be presented with a clear basis for decision, a unilateral ranking, than to be presented with a mass of information from which many choices could be justified. Many consumers of educational rankings do not want arguments, they want answers.”).

This is a concern shared by every prospective student, but it weighs especially heavy on the minds of prospective minority students because of the widespread impression that diversity is an obstacle instead of an asset to law school success. Financial support, academic under-preparedness, cultural divides, the school's racial climate, and the diversity of the student body and faculty are important factors in a minority student's ability to predict how well he or she will perform at a particular law school.¹² It is also becoming increasingly important for law schools to more effectively address these factors. The number of minorities in the United States is steadily increasing¹³ and, according to the ABA's statistics, minorities are applying to law schools in increasingly large numbers, even as the overall number of law school applicants slumps.¹⁴ While schools cannot admit students solely because of their minority status, minority status is a legitimate factor to consider and the overall effort to diversify classrooms is perfectly legitimate.¹⁵

The desire to diversify classrooms, meanwhile, should no longer be seen as philanthropic work. It has become a matter of necessity. A diversity of opinion in classrooms has been shown, after all, to improve the educational experience.¹⁶ As the pool of prospective minority students increases, law schools that lack diversity will begin to lose their competitive edge as highly-qualified prospective minority students automatically look elsewhere, to schools with a proven record of commitment to inclusiveness. These are not students that law schools can afford to lose.

At this critical moment in time, law school recruitment and retention programs have the potential to attract serious attention from a growing pool of prospective minority applicants. But the standard route of relying on mass

12. See Dorothy A. Brown, *The LSAT Sweepstakes*, 2 J. GENDER RACE & JUST. 59, 63 (1998) ("[W]hat the studies have shown is that the LSAT over-predicts for minority students. Relative to whites with the same score, standardized tests actually over-predict the achievement that blacks will realize in law schools. Blacks achieve lower law school grades than whites even when they have the same undergraduate grades and LSAT score. To the best of my knowledge, I know of no study that examines what role, if any, law schools play in the lower law school grades of black law students.").
13. See Hope Yen, *Minority Population Growing, Census Says: Young Hispanic Parents Driving Surge in Numbers*, BOSTON.COM (June 11, 2011), http://www.boston.com/news/nation/articles/2010/06/11/minority_population_growing_census_says/?camp=pm ("The nation's minority population is steadily rising and now makes up 35 percent of the United States, advancing an unmistakable trend that could make minorities the new American majority by midcentury.").
14. See *ABA Section of Legal Education Reports 2013 Law School Enrollment Data*, A.B.A. (Dec. 17, 2013), http://www.americanbar.org/news/abanews/aba-news-archives/2013/12/aba_section_of_legal.html; *Total Minority J.D. Enrollment*, A.B.A., http://www.americanbar.org/content/dam/aba/administrative/legal_education_and_admissions_to_the_bar/statistics/jd_enrollment_minority.authcheckdam.pdf (last visited Jan. 21, 2015).
15. See *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265 (1978).
16. See ANTHONY CARNEVALE & RICHARD A. FRY, *CROSSING THE GREAT DIVIDE: CAN WE ACHIEVE EQUITY WHEN GENERATION Y GOES TO COLLEGE?* 40 (2000), available at <http://www.education.umd.edu/EDMS/MARCES/mdarch/pdf/msde00001>.

mailings and pamphlets is failing most law schools, because most law schools continue to suffer from a conspicuous underrepresentation of minority groups in their student body.¹⁷ The questions on the minds of most prospective students, especially prospective minority students, cannot be adequately answered by a generic email or an impersonal pamphlet. Social questions—questions about the law school experience, the chances of a student’s success, and the law school social environment—need social answers. Such answers can only come from social interactions, social events, and social media.

II. Social Interactions: The Persuasiveness of Putting a Name and a Face to the Institution

It is already standard practice among law schools to recruit, from its student body, a corps of volunteer ambassadors. These ambassadors lead tours through the school and contact prospective students with semi-personalized emails. This is a good start, but it is only that—a start. Guided tours with large groups are impersonal, and even the most personalized email is still machine-like and lacks human contact. That is why the ambassadors should interact one-on-one with prospective students as mentors, LSAT tutors, and even teachers.

Once a law school learns of a minority student’s interest, it should quickly pair up that student with a volunteer minority mentor, preferably a 1L who can still relate to the 0L experience and shares some connection with the mentee. To give an example, the Admissions Office of Colorado University’s School of Law (“CU Law”) recently released to the Black Law Students Association (“BLSA”) a list of minority students who have been accepted, so BLSA asked for volunteers to contact these people. I contacted two students from Texas, because, having been born and raised a Texan, I shared that geographic connection with them. I have been wondering for some time now why I have still not received a reply, until I recalled receiving a similar email last year, when I was a prospective minority student.

I, too, hesitated for some time before replying because I suspected that this person was, despite their superficial connections to me, a complete stranger making a formal courtesy, a busy law student who did not actually want to be burdened with my silly questions. But if I were formally paired up with this person as a mentor, I would likely feel more comfortable in asking my questions. The sense of belonging to a group, even a very small group, would help prospective minority students understand that the complete stranger on the other line genuinely welcomes questions, and is the perfect source for advice about that school.¹⁸

17. See, e.g., Cheryl I. Harris, *What the Supreme Court Did Not Hear in Grutter and Gratz*, 51 *DRAKE L. REV.* 697, 705-06 (2003) (observing that one of its professors taught “Brown [v. Board of Education] to a Constitution class without black students.”); Jesse Rothstein, *Affirmative Action in Law School Admissions: What Do Racial Preferences Do?*, 75 *U. CHI. L. REV.* 649, 659-77 (2008) (finding a dramatic underrepresentation of African-American applicants among law school applicants considered to have “moderate” to “strong” academic credentials).

18. See Cecilia Solano & Mina Dunnam, *Two’s Company: Self-Disclosure and Reciprocity in Triads Versus*

Mentors and mentees should meet in person, both in class as part of a shadowing program and outside of class to answer questions face to face—preferably in person, but even a video conference will do for the out-of-state applicants. Out-of-state mentees can still meet with their mentor over Skype or via the iPhone’s FaceTime feature. Out-of-state mentees can still take a virtual tour of the school on its website. Creating such a virtual tour is well worth the investment, because it will show the law school’s human side, with classes in session, students walking down the hallways, and student groups meeting over a warm, free lunch.

Out-of-state mentees can also work with their mentor to complete simple assignments that introduce a prospective student to the law school. If a successful graduate of the law school happens to live in the same city as a prospective minority student, the law school’s recruitment program should make every effort to connect them, even if only for a brief questions and answers session over coffee. Absolutely nothing trumps social interaction. Even once a minority student has enrolled into classes, the mentor-mentee relationship should remain strong to retain the student.

Law schools need not passively wait for a prospective student to take the LSAT and declare an interest in that school, either. Affordable LSAT tutors are always in high demand, and law schools can easily meet that demand while at the same time establishing connections to and interest in their school by encouraging students who scored well on the LSAT to tutor local minority undergraduates. Given that many law schools encourage their students to volunteer a certain amount of “pro bono” hours on law-related work, LSAT tutoring that counts towards those hours could inspire a great deal of interest from a law school’s student body. Having just taken the LSAT, 1Ls would be in an ideal position to offer LSAT advice and relate to the concerns of a college student transitioning into law school. If the minority undergraduate performs well on the LSAT, that student would already have a friend, a mentor, and most importantly an insider at that law school who could offer practical help to ease the admission process. The admission counselor, meanwhile, would have a valuable source of information from the mentor about what this applicant is like in person and whether he or she is a good fit for the school.

There is serious merit in recruiting minority students even before they have decided to attend law school at all. The Marshall-Brennan Constitutional Literacy Project, for instance, brings law students into high school classrooms to introduce high schoolers to basic concepts in Constitutional Law.¹⁹ Similarly, the “We The People” program brings law students into high schools to help judge a competition in which high school teams debate an area of Constitutional

Dyads, 48(2) SOC. PSYCHOL. Q. 183, 183 (1985) (“In a larger group it may be harder to manage closed interpersonal boundaries, and so a person may prefer to be less vulnerable, and disclose less. Indeed . . . self-disclosure may be difficult to arrange in groups larger than two.”).

19. See Jamin B. Raskin, *The Marshall-Brennan Constitutional Literacy Project: American Legal Education’s Ambitious Experiment in Democratic Constitutionalism*, 90 DENV. U.L. REV. 833 (2013).

Law.²⁰ In a “We The People” event that I took part in as a judge, I asked three high school teams whether they supported or opposed President Obama’s recent executive action on immigration reform. Aside from critiquing their incredible answers, I also met a handful of minority students whose interests in and knowledge of Constitutional Law put them on a path to law school.

Those two Marshall-Brennan projects are probably not meant to act as law school recruiting events, and they are certainly not billed as one. But there is so much opportunity for participants like me to reach out to these students, or at least remain available to answer their questions. By familiarizing young adults with an area of law and by introducing them to actual CU Law students, projects like these are much more persuasive than any pamphlet ever could hope to be. Bringing law students into college classrooms would have a more direct impact on recruitment, particularly if the college course is about an area of law.

Of course, a useful component of the LSAT is that it helps a law school identify prospective minority students. But sending out students to teach a portion of a class can reach minority students by targeting high schools and colleges with a high proportion of minorities. If nothing else, the law school’s efforts will dispel the powerful myth that the commitment to diversity is in name only and that law school students will discriminate against or socially isolate minorities without serious consequences. Law schools should constantly encourage and incentivize members of their student body to interact with the local community because, as the Supreme Court recently noted, “law schools cannot be effective in isolation from the individuals and institutions with which the law interacts.”²¹

III. Social Events: Influencing Prospective Minority Students Through Events

Personal statements are not a particularly effective way of learning about prospective applicants. Studies show that even formal interviews are an ineffective way of learning about a person’s skill sets.²² The best way to have an applicant introduce his or herself, while at the same time introducing the law school to that applicant, is through social events. Events that involve debate and legal reasoning, such as moot court and mock trial, provide an opportunity for minority students to test their critical legal skills in a hands-on, engaging manner that develops skills as useful in the legal classroom as it is in the college classroom. At the same time, the event supervisors will have

20. See Melody Finnemore, *Planting The Seeds: An Early Interest In The Law Takes Root In Classroom Law Project’s Programs*, 68 OR. ST. B. BULL. 19, 19-21 (2007) (discussing the “We The People” program in depth).

21. See *Grutter v. Bollinger*, 539 U.S. 306, 332 (2003) (quoting *Sweatt v. Painter*, 339 U.S. 629, 634 (1950)).

22. See generally Michael A. McDaniel, *The Validity of Employment Interviews: A Comprehensive Review and Meta-Analysis*, 79 J. APPLIED PSYCHOL. 599 (1994).

an ideal opportunity to observe and take note as to which students show the most promise as future law students.

Ideally, these events should take place at the law school, on the weekend, all year round as different groups of diverse students are brought in from colleges around the state. However, the biggest pool of applicants will likely come from the bigger, more populous states, such as Texas, California, Florida, and New York. In all likelihood, a law school can locate an enrolled student or graduate student who lives in one of these states, and help them work with the college's student affairs committee to set up a simple mock trial or moot court.

There is undeniable appeal for college students to participate in these events, because they build critical skills, including reasoning, public speaking, and teamwork, to name just a few. Winning a competitive mock trial is also an impressive accomplishment to put on a resume, however short and simplified the trial may have been. A law school should consider setting the "final round" of these moot courts and mock trials in the law school itself, so as to familiarize the students with that law school and familiarize the law school admission counselors with the students who are most likely to apply for and succeed in law school. It goes without saying that minority students who excel in law school are the most likely to be retained by that law school as well. This program is not an explicit offer of special admission consideration to minorities for being minorities, but is instead another legitimate and perfectly valid component of an individualized consideration.²³ Law students can sharpen their own advocacy skills by acting as judges at these events, because the opportunity to observe and critique another person's performance is often instrumental in building one's own skills.

To maximize the number of minority students who attend a mock trial or moot court event, the events can be hosted in historically-Black colleges and universities, as well as schools of higher education with a high proportion of minorities. It is also possible to make the subject of the moot court or mock trial a subject of interest to a minority group—for instance, a moot court case about the Civil Rights Act or a mock trial case about a racial hate crime. Members of a law school's barrister council would appreciate the opportunity to hone their own trial advocacy skills in a low-risk environment, prior to the high-stakes national competitions in which they will likely compete. To incentivize high attendance and raise the stakes of these events, participation could even count as passing a quiz or test for students of certain college courses, such as criminology or public speaking. The course's professor would not have a serious reason to withhold these grading incentives, because the events are practically an extension of the classroom.

In addition to hosting events, law schools could send their minority students to events that are of interest to minority groups. The American Indian Science and Engineering Society, the Society for the Advancement of Chicanos and Native Americans in Science, and the NAACP are some organizations that

23. See *Gratz v. Bollinger*, 539 U.S. 244, 271 (2003) (clarifying that the *Bakke* precedent emphasized the importance of individualized consideration of the whole applicant).

host a great deal of popular events that may be of interest to segments of any law school's student body. Encouraging students to participate in these events and perhaps lending them financial assistance in doing so would greatly increase the visibility of a law school for potential minority students. Not only are some of the participants in these events considering law school, but they might also have a friend or family member who is also considering law school. Naturally, a prospective minority student who has never heard of a certain law school, or only knows of the school from its shiny pamphlet, is unlikely to entrust a great deal of time, money, and education to that school. The law school students who go to these events and indirectly introduce people to their school are truly student ambassadors, in the sense that they are diplomatic representatives of their school while "abroad." Because these are actual law school students instead of paid representatives or recruiters, they may strike a potential minority student as less biased and might relate to the potential minority student on a personal level that a recruiter might not.

From the cost-benefit perspective, hosting these events and sending students to minority-interest events would cost a law school very little while at the same time creating a pool of interest in and familiarity with that law school. Securing just one applicant would mean securing three years of tuition, in addition to whatever other awards and honors that future student attains during his or her time at the institution. Even if a student applies and is not accepted, the sheer number of applications and rejections would help improve a law school's popularity and selectiveness, which itself would inspire more prospective minority students to apply.

IV. Social Media: Facebook, Twitter, and YouTube as Tools for Maximizing a Law School's Visibility to Prospective Minority Students

Facebook, Twitter, and YouTube represent some of the world's most visited sites. Most law schools have accounts on these sites, and many schools also post classes or other videos onto iTunes. These measures are passive and could do a far better job of giving prospective students an "inside look" at the law school. By creating private Facebook groups for prospective students, law schools can facilitate interaction among prospective students and between prospective students and their mentors. LexisNexis does a fantastic job at keeping law students involved with its research engine by posting weekly challenges and rewarding points to students who successfully complete a simple task on its search engine. Law schools can take on a similar approach for oLs and let them redeem their points for an Amazon card or something else of value in exchange for correctly answering some basic legal concept or fact about the school. Facebook is also an excellent venue for publicizing law school events, student group activities, and speakers. Professional photographs of the events and the students and faculty who attend them will put a human face to an otherwise mysterious, gray, and otherworldly institution. The more lighthearted moments or quotes from these events have a welcome place on Twitter. In fact, I have seen so many memos about our classes and professors

on individual student Facebook pages or Twitter accounts, and there is no reason why they cannot all be linked to some shared Facebook page or Twitter account.

Videos of the events are also appropriate for YouTube, as are guided tours, student interviews, sample lectures, and so forth. Familiarity does not breed contempt in this context; it can only breed accessibility and tear down the usual walls that separate prospective students, particularly prospective minority students, from attending any given law school. The myths about there being no legal jobs is easily dispelled by showing prospective students a video of on-campus interviews or round table discussions with working graduates. These events are heavily advertised to law students; they may as well be open to prospective students as well. The myth of law students being a cutthroat bunch is as easily dispelled by a stream of Facebook pictures and updates that chronicle day-to-day life at the law school and the student groups' charity-related endeavors. All of this information could be put into a pamphlet, of course, but as advertising executives and authors love to say, "show, don't tell." As helpful as this showing instead of telling would be to prospective students in general, it would be especially helpful to minority students because it also addresses concerns unique to them, such as the fear that being a minority will hinder their ability to succeed in law school and the legal community at large.

Advertising student blogs would also be a powerful tool to dispel myths about law school and in general familiarize prospective students with student life. So, law schools should encourage their students to blog about their experiences in law school, then link the best of those blogs to the school's Facebook page and website. Prospective minority students are much more likely to apply to a law school if they associate that school with meaningful employment, personal development, pride, and opportunity instead of the typical association of law school as being only nominally committed to diversity and inclusiveness.²⁴ These myths may sound ridiculous to those who have been in the law school environment for some time, but these myths are as strong as ever.²⁵ A little bit of light can dispel a great deal of darkness, and these are dark myths that the light of social media is in a unique position to dispel.

V. Conclusion

Law schools have diversified tremendously over the last few decades. This is an accomplishment that should not be overlooked. Still, there is much room left for improvement, and schools can benefit greatly from committing to diversifying their student body. Diversity's main function, in the past, was to enrich and improve the educational experience. Diversifying now serves a

24. See Bernstein, *supra* note 6, at 213.

25. See Eli Wald, *A Primer on Diversity, Discrimination, and Equality in the Legal Profession or Who is Responsible for Pursuing Diversity and Why*, 24 GEO. J. LEGAL ETHICS 1079, 1098 (2011) (hypothesizing that the feeling of "selling out" or "acting white" discourages many African-Americans from pursuing a law degree).

new, more important function. In an age with steadily increasing numbers of minority applicants and steadily decreasing overall applications, a law school's ability to attract diverse students will begin to play a determinative role in the overall quality and competitiveness of that law school.

Nevertheless, most law school student bodies continue to underrepresent minority groups. My own recent experiences and the clear weight of research demonstrate that most law schools take an ineffective approach to the recruitment and retention of minority students. The mainstream approach overemphasizes dry facts, statistics, and hollow promises when it should be emphasizing the school's human side and its social dimension. The idea that people respond better to *ethos* than *logos* is nothing novel; thousands of years ago, Aristotle observed that people, being social animals at heart, are not particularly moved by appeals to *logos* (or logic).²⁶ They are moved instead by *ethos*, the social dimension of human interaction. "Emotion," in fact, stems from the root, "to make to move," because emotion is what gets people out of bed in the morning.²⁷

By utilizing social interaction, social events, and social media to its fullest potential, law school recruitment and retention programs can seriously increase the number of minority applicants. All of the tools are already at hand: every law school has a student body with idealistic, friendly students who are willing to act as ambassadors, mentors, or tutors; every law school has the space and experience for hosting events such as mock trials and moot courts; and every law school has the capability to unleash its human side onto Facebook, Twitter, YouTube, and the blogosphere. The tools are already at hand; all that is left to do is use them.

26. See ARISTOTLE, ON RHETORIC 37-40 (George A. Kennedy trans., Oxford Univ. Press 1991) (Circ. 400 BCE).

27. See DANIEL GOLEMAN, EMOTIONAL INTELLIGENCE 6 (2005).