

**UCLA**  
**National Black Law Journal**

**Title**

Career Patterns of Black Yale Law School Graduates: From Young Blacks to Old Blues

**Permalink**

<https://escholarship.org/uc/item/5qq2t3cw>

**Journal**

National Black Law Journal, 7(1)

**ISSN**

0896-0194

**Author**

Thomas, James A.

**Publication Date**

1981

Peer reviewed

Finally, it would appear that the black law firm is only now reaching the point in its development where it can begin to provide entrance into the legal profession for black graduates. As the number of black attorneys and their experiences increase, it is expected that the number of black law school graduates hired by these firms will increase.

## CAREER PATTERNS OF BLACK YALE LAW SCHOOL GRADUATES: FROM YOUNG BLACKS TO OLD BLUES

James A. Thomas

### I. INTRODUCTION

An analysis of the career patterns of black Yale Law School graduates must refer to one important aspect of the total Yale environment. The matter I refer to is elitism. How students perceive themselves and their setting has a great deal to do with what they consider legitimate career alternatives. Student self-perception also affects academic success within the law school. Low self-esteem breeds low self-confidence which, in turn, results in low achievement. In an atmosphere which is pervasively elitist, black students sometimes have an extra measure of concern in their struggle to maintain acceptable peer relationships while, at the same time, maintaining self-esteem.

It has been my fortune, good or ill, to be privy to a great deal of the innermost concerns of law students at Yale, white and black, who, uniformly, panic a bit when they realize that real career choices are imminent. More than just a few of these students came to law school in large measure because doing so provided a means of postponing a significant career decision. When the third year arrives, and the inevitable, postponed decision reappears, it is a time of crisis for some and a period of varying degrees of agony for many others.

To set the record straight in this matter, it is necessary for me to say something about the perspective from which my observations are made. For the past ten years, I have been responsible for admissions to the Yale Law School. For most of that time I have also served as the primary counselor for students in the J.D. program. I am an attorney. I am black.

### II. THE FIRST YEAR

Upon entering law school even the most confident black student may experience attacks to his/her self-esteem. Preconceived notions of the intellectual depth of the University feed upon periodic reinforcing observations of brilliance and achievement. Perceptions of brilliance come first. Later, like a time-release capsule, come discoveries of staggering achievements

among classmates and new acquaintances. Fortunately, before self doubt can take root, classes come along and dispel some of the mystery of previous peer-perceptions by reducing most newcomers to the status of novice.

It is clear to the black student, however, that many of his classmates have a more impressive list than he of those kinds of achievements that pre-law advisors praise. Such things as high LSAT scores, *summa cum laude* grade records, publications, master's degrees and doctorates all seem too abundant. Though many black students know that their admission was aided by an affirmative action program, it is, nevertheless, a severe blow to the self-esteem of some of these students to see live examples of their competition.

Individual student reaction to the elite setting varies, of course, with different students. Some students react by deciding to compete within an exclusively white framework. Other students react by developing clusters of almost exclusively black associates for enhanced self-security. Still others react with hostility, declaring themselves at war with any sort of recognized achievement. There are, of course, other reactions and mixtures of these already mentioned. It is sufficient, for our purposes, simply to say that postures adopted early in the first year of law school can carry over and have an impact during the fall term of the third year when jobhunting is seriously underway.

Whether or not it is openly recognized or acknowledged, the law school experience represents the culmination of an entire student life of competition. As such, then, the three years themselves are heavily involved with various sorts of competitive orderings. Much of the learning experience is adversary in nature and students quickly develop a sense of the importance of competition.

In the first term the beginning student observes the feverish interviewing activities of the third year students with initial caution, almost disinterest. This is due, in part, to the fact that there have been no returns of academic work for the first year people. For a while, the student has no idea where he or she stands, or even whether he or she will make it academically. With the completion of small group legal memorandum assignments, many first year students look boldly to emulate their third year exemplars by seeking employment for the first summer. Most black students tend to be cautious, yet do find first summer employment, sometimes with the help of upperclass black students.

Since the first term at Yale is an entire credit/fail grading system, much of the employment prospects lie with the successful use of the student's prior background. Most backgrounds at Yale are outstanding, so few students have difficulty finding some sort of job. A common pattern among all Yale students is to spend the first summer with a government agency, legal aid program or private corporation, doing work not necessarily strictly in law. Black students have followed this pattern, if anything, more consistently than other Yale Law students. However, in recent years, many law firms have begun recruiting first year students. Black first year students have begun to participate in these programs by obtaining employment with law firms for the first summer. Recently, numbers of our black students have also been involved in the summer "splitting" phenomenon in which the first

half of the summer is spent with a law firm in, perhaps, New York, while the second half is with a law firm in Chicago or San Francisco.

### III. COURSE SELECTIONS

Concern about appropriate exposure to subject areas that may be covered in the bar examination makes many students' transcripts similar, if not equivalent. However, course selection provides some indication of a student's career path. During the past ten years some trends in black student course selection were observable.

The tendency for students to show preference in course selection for subjects most familiar to them results in a substantial participation among black students in clinical programs,<sup>1</sup> in governmental agency matters,<sup>2</sup> and in litigation.<sup>3</sup> As might be expected most black students come to law school with limited exposure to such areas of law as commercial law, trusts and estates, taxation and antitrust. Yet, there is a general awareness of criminal and constitutional law. Overall, it may be pointed out, this experiential pattern is similar to that of white students, although a larger percentage of these students have parents or relatives who are lawyers or at least have some experience with corporations.

Corporate law courses deserve special comment. Most black law students have little or no involvement with, and, consequently, reveal little or no knowledge of, corporate America. Economics is a major field of undergraduate study that has only recently begun to show up with any frequency on the transcripts of black Yale Law students. Some black students reflect deep-seated distrust or resentment of what their own experience tells them are powerful organizational complexes from which they, as blacks, have been excluded. Some years ago, during the very active years of student political activity, it was regarded as almost a customary form of pleading for a black student to denounce corporate America, and along with it any law student ambitions to benefit from the spoils thereof. Working in legal aid was elevated as the appropriate goal of a student wishing to help black people. Today, much of this intense negative bias has abated. Not only are most black students taking Business Units I (the basic Corporation law course), but also many more are seeking employment with law firms involved primarily with corporate clients.

Part of this change in employment direction can be attributed to changes in attitude. Many black students today see their involvement with corporate interests as consistent with the increasing degree to which corporate merchandising operations have acknowledged the black consuming public as important. Other black students see economic issues as key issues having to do with the health and welfare of the black public. These students generally think in terms of going to the focal points of real power to have an impact on those things which most affect black people.

One other significant reason has been offered for the shift in occupa-

---

1. Clinical programs at Yale Law School involve torts and criminal law.

2. These programs and courses stress constitutional and administrative law.

3. During the academic years 1978 and 1979 black women have been the directors of two of Yale Law School's major student-run programs—the moot court program and the barrister's union program.

tional interest of black students towards corporate work. That reason has to do with the financial aid structure of schools such as Yale, where increasing costs have escalated the amount that a student has to borrow to finance his or her legal education. The average black law student graduating from Yale today has at least \$14,000.00 indebtedness. There develops some pressure on all students who have received financial aid to take the more financially rewarding jobs. The state of the economy adds to this pressure.

As yet relatively untapped by black student course choices are areas of commercial law (secured transactions, negotiable instruments) and taxation. Even in these areas, however, there are the beginnings of interest as more black students enter law practices which involve these areas.

#### IV. JOB OPTIONS

##### A. *General Employment Patterns*

Thus far, the data available are insufficient to permit very meaningful generalizations. This is due to the relatively small universe of known black Yale Law School graduates.<sup>4</sup> It is interesting to note that the overall patterns of employment appear not to differ markedly from those of all students graduating from law school. The predominant first job is with a law firm. Law clerkships are being obtained by black students at a significant, although slightly smaller than overall, percentage. A larger than overall percentage of black students go to work for corporations. Legal services and nonprofit organizations take a higher portion of black students than they do of Yale Law School graduates in general. Finally, again in percentage terms, fewer black graduates are going into law firms than their white counterparts.

---

4. Because the universe of known Yale Law School graduates is relatively small (our best estimates are 250-300) an effort was made by the Black Law Students Union to contact every graduate. The returns, although incomplete, show interesting overall patterns.



In order to give some comparative coherency to the patterns suggested above, I have attempted to list the reported first jobs by class of blacks graduating in the six most recent classes since 1974. Alongside these figures are overall Yale Law School reported figures for the graduating classes as a whole.<sup>6</sup>

TABLE II

	1974		1975		1976		1977		1978		1979	
	Total	Blacks										
No. in Class	177	13	160	15	178	13	171	15	156	12	176	13
No. reporting	158	7	142	7	156	9	161	14	146	8	162	10
Law firms	86	1	59	4	93	3	97	5	84	3	80	4
Judicial clerkships	34	2	46	1	39	1	38		36	1	61	2
Teaching	2		1		3				3	1		
Government												
Federal	12		10		5		3		8	1	6	
State & local	5	1	4		5	1	6	1	3		4	
Graduate Study	7		4				2				4	
Corporations	2	1	1	1					3		2	
Misc. Legal												
Legal Services	3		3	1	4		6	3	7	1	1	1
Other	2		8		3		4	1*	1			
Misc. Non-Legal & No Job Listed	5	2	3		3	3	2	2	1	1	3	3
Military Service			1				2		1			
*solo practice												

### B. *New Directions in Employment Patterns*

The phenomenon of joint degree programs is enjoying at least as much popularity among black students as it is among white students. Most common is the law/business school joint program. The joint degree student is likely to be in a state of conflict about career choices at the end of the four year program. Some black joint degree graduates have gone into government service, some into private corporations (usually in management roles) and some into law firms where they have occasionally taken adjunct positions as part-time teachers in law schools or universities.

In terms of curriculum indication of latent law teachers the major indicator would generally be the law review. At Yale, however, some students do a considerable amount of legal research and writing without participation on the Law Journal. Legal writing is the key, however. It is an acquired skill that the entering black law student must be encouraged to develop. At most schools, qualification for law review editorships is on the basis of class standing. At Yale everyone is eligible to submit a note to the student editorial board for consideration for publishing. If the note is accepted, the student becomes an editor. In recent years black students have been editors in numbers that reflect a slightly lower percentage participation than that of non-minority students.

6. One noticeable feature of Table II is the relatively high percentage of blacks listed in the "Miscellaneous Non-Legal or No Job Listed" category. In nearly all of the cases so listed the students involved did, in fact, have job options available, but for a variety of reasons preferred not to have them officially listed. Part of the reluctance had to do with the students' own indecisions about preferred job directions. Some of the reluctance may have had to do with the students' own perceptions of status relating to the available choices. They simply preferred not to report what they were doing.

A major problem exists today in the income disparity that is surely evident to any student who aspires to an academic life. It is especially poignant to the academically successful black student, who finds himself sought after eagerly by the major law firms. Those firms offer as much to start (in excess of \$30,000 per annum) as he or she can expect to be making in academia when the tenure decision is made. One partial accommodation to academic interest is the adjunct teaching as a sideline that some practitioners manage to fit into rather tight schedules.

Despite the obstacles, my investigation reveals that a significant number of black Yale Law School graduates do eventually end up teaching. Many of these teachers are attracted to an offer to give teaching a try only after five or more years out of law school. The decision often comes at a breaking point in the career of the black student graduate, for example, if he fails to make partner and does not want to try another law firm.

#### IV. CONCLUSION

My observations are firm concerning the changing trends of black graduates toward more traditional Yale Law School employment patterns, especially toward increased numbers of black students going into corporate practice. Of course, it remains to be seen what the eventual practice patterns will show. Whether black Yale graduates are ascending to partnerships in the major firms where many are necessarily the subject of a more extended graduates' study than was possible here, due to the fact that a number of black graduates known to me began to teach only after several years out of law school.

## PLACEMENT PATTERNS OF UNIVERSITY OF CALIFORNIA—LOS ANGELES LAW SCHOOL MINORITY GRADUATES

Michael D. Rappaport

#### I. INTRODUCTION

This article examines the career patterns of minority graduates of University of California-Los Angeles (UCLA) Law School by presenting a general picture of the careers followed by those graduates and, by comparing the career paths to those of their white classmates. Most of the data that was used in this study was obtained by surveying graduates several months after graduation and relates solely to their first employment experience.

There are two distinguishing factors which should be noted before evaluating the data comparing the career patterns of UCLA minority and white graduates. First, virtually all of the minority graduates were admitted to UCLA Law School under the school's Legal Educational Opportunity Pro-