

Pre-Law Advisors Conference 2023

IDENTIFYING

Native American Students as
Candidates for Law School



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Session Goals

- 1** Understand the current state of the pipeline for Native Americans into law school.
- 2** Consider particular distinctions in how Native people may arrive at their decision to apply to law school.
- 3** Explore strategies that advisers might use to engage/encourage those considering law school and assist them in crafting the strongest possible application.
- 4** Highlight existing programs that pre-law advisers or law admissions professionals may direct prospective NA/Al/Indigenous applicants towards for more information and support.



“

“We are not just border walkers. We are border crossers. And if we are border crossers, then institutions of higher education must, too, be border crossers. No longer can we allow our roads only to lead to those institutions of higher education; those institutions of higher education must also make roads, inroads, into our respective communities, into our homelands. Learn of these phenomenal bodies of traditional knowledge that you all carry, that our ancestors handed down to us.”

Dr. Henrietta Mann, Ph.D.

(Ho'e-osta-oo-nah'e, "Prayer Cloth Woman")

Cheyenne Tribal educator and elder

Native American Communities, Peoples & Students



States with the Highest Native American Population

Alaska (19.5%), Oklahoma (12.9%), New Mexico (10.7%)

Native peoples live in large and small cities, on and off reservations, and in every state.

There are 574 federally recognized and nearly 100 state recognized tribes in the US, and at least another 400 that are not recognized but still exist as intact cultural groups.

States where Native students comprise the largest proportions of the total K-12 student population include: Alaska, Oklahoma, Montana, New Mexico, South Dakota.

Tribal Colleges & Universities

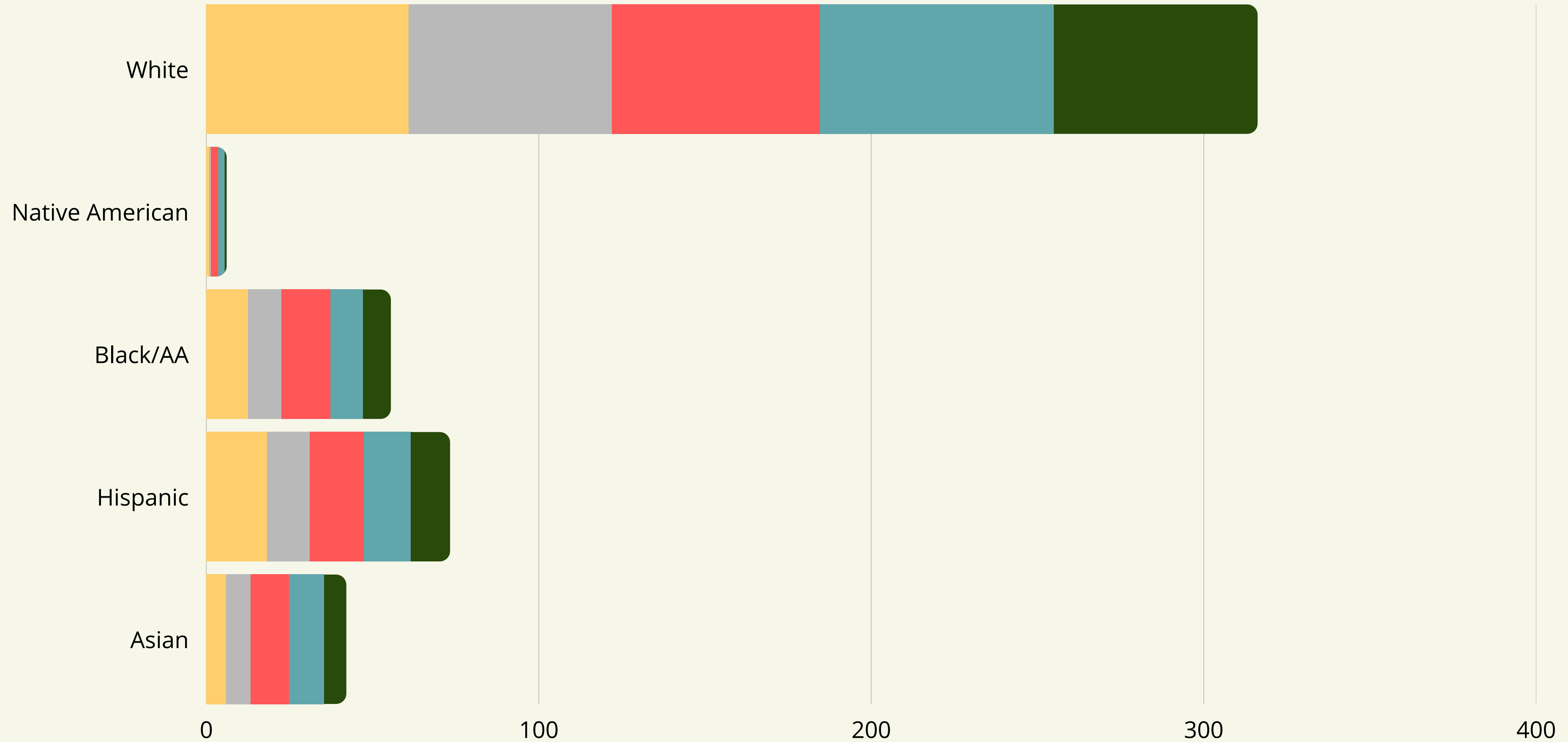
There are 32 full accredited Tribal College and Universities (TCUs) in the U.S., and one formal candidate for accreditation. Three are in Associate Status. TCUs offer 358 total programs, including apprenticeships, diplomas, certificates, and degrees (181 AA degree programs at 23 TCUs, 40 bachelor's degree programs at 11 TCUs, 5 Master's degrees at 2 TCUs). TCUs serve approximately 30,000 full- and part-time students. 8.7% of AI/AN college students attend a TCU, and 78% of TCU students are AI/NA.



Colleges with highest Native student populations:

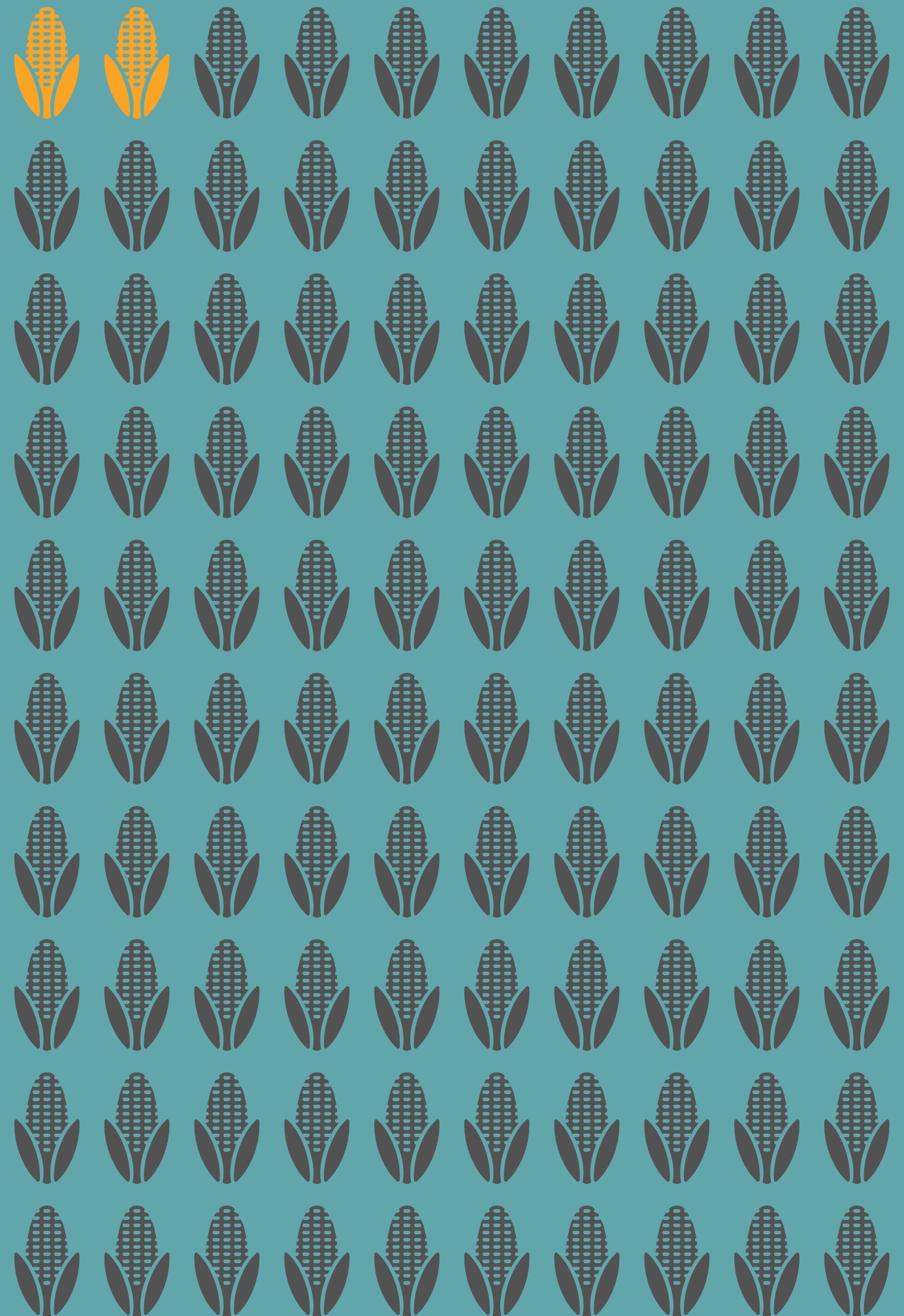
Northeastern State University (OK), UNM, UCLA, UofA Fairbanks, Southeastern Oklahoma St. University, University of OK, UofA Anchorage, UNC Pembroke, Fort Lewis College (CO), NAU, University of Central OK, Utah State, ASU, East Central University, University of Arizona.

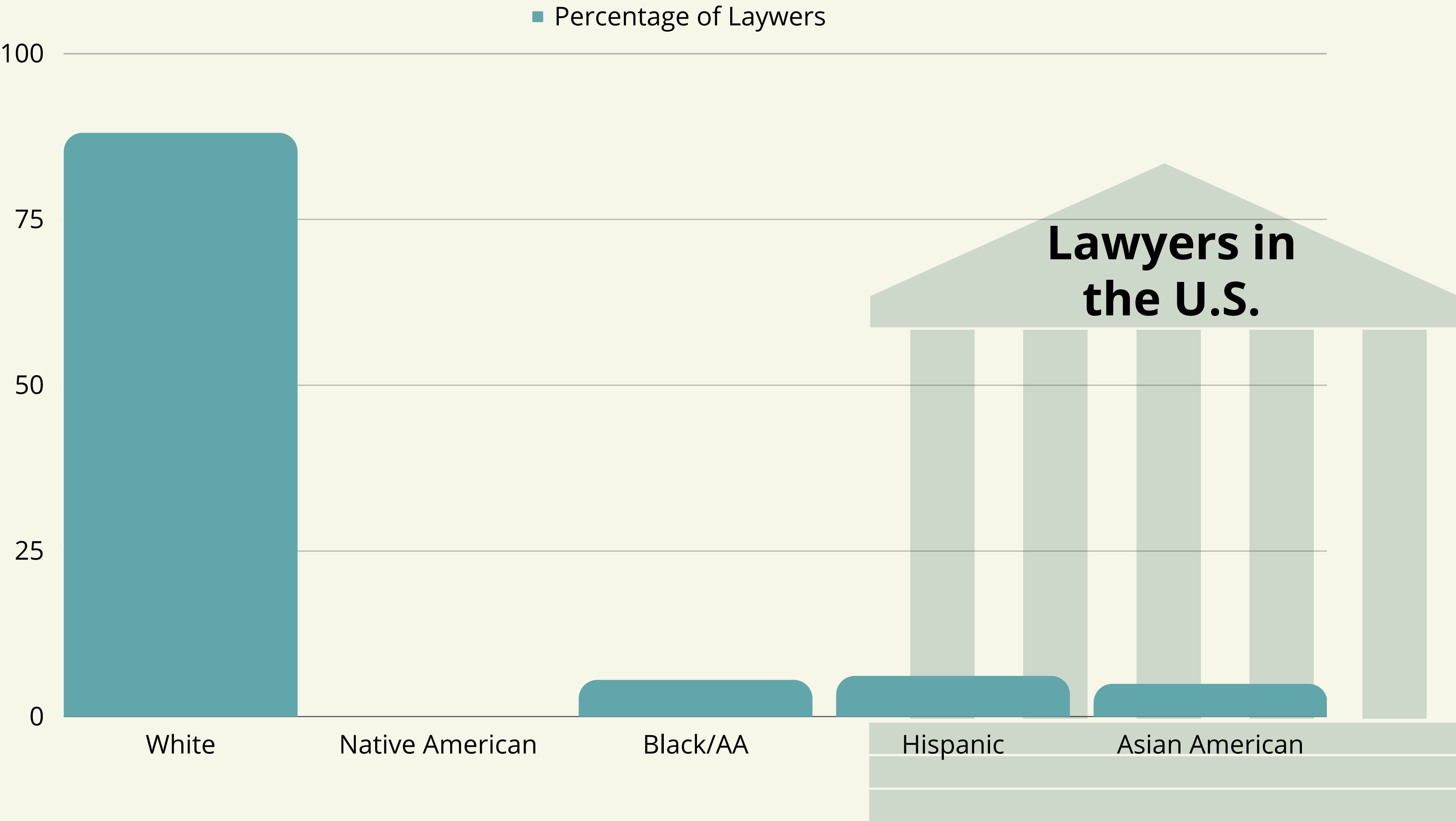
Population Bachelor's Degrees ABA Applicants ABA Matriculants J.D. Degrees



Native Americans in Law School

Native Americans comprise 1.8% of all students admitted to law school, according to the American Bar Association.






Why Do Native Americans Attend Law School?

Native American attorneys are more likely to report that they entered law school to:

Give back to their tribe, fight for justice for Indians, fight for the betterment of Indian people.

In general, their motivation was more likely connected to identity and heritage, less likely connected to individual benefit.

“The difference in why many Native Americans may go to law school is fundamental to understanding how to inspire and motivate more Native Americans to consider law school and the legal profession.”



Source: National Native American Bar Association Report: “The Pursuit of Inclusion: An In-Depth Exploration of the Experiences and Perspectives of Native American Attorneys in the Legal Profession.” Section on “Pipeline to Law School/Legal Profession” by Stacy Leeds, Dean and Professor of Law, Arizona State University.


Indian Law for Indian Students?

The perception that a legal career is a career exclusively in Indian Law could be a challenge to encouraging more Native Americans to pursue legal education.

Students who may not be attracted to Indian Law do not consider the law generally until provided the opportunity to see how their participation in **other areas of law** could also help their communities economically, politically, etc.

In general, their motivation was more likely connected to identity and heritage, less likely connected to individual benefit.

Activities, examples, and narratives that expose Native American young people to all the various areas of the law through which they can contribute to their communities will increase the number interested in attending and motivated to attend.



This also means you should be looking for potential law school candidates across **all different programs and disciplines.**

Science & Technology

Social, monetary, and structural impacts on health disparities for Native Americans

Broadband access on Tribal lands.

International Law & Human Rights

The transnational fight for Indigenous rights.

Climate refugees and other displaced persons; immigration law.

Environmental Studies

Access to and management of clean water.

The impact of climate change on traditional foodways.

Intellectual Property & Business

Trademark Law and the use of derogatory and disparaging images.

Clean Tech for economic development on Tribal lands.

Lawyering Skills

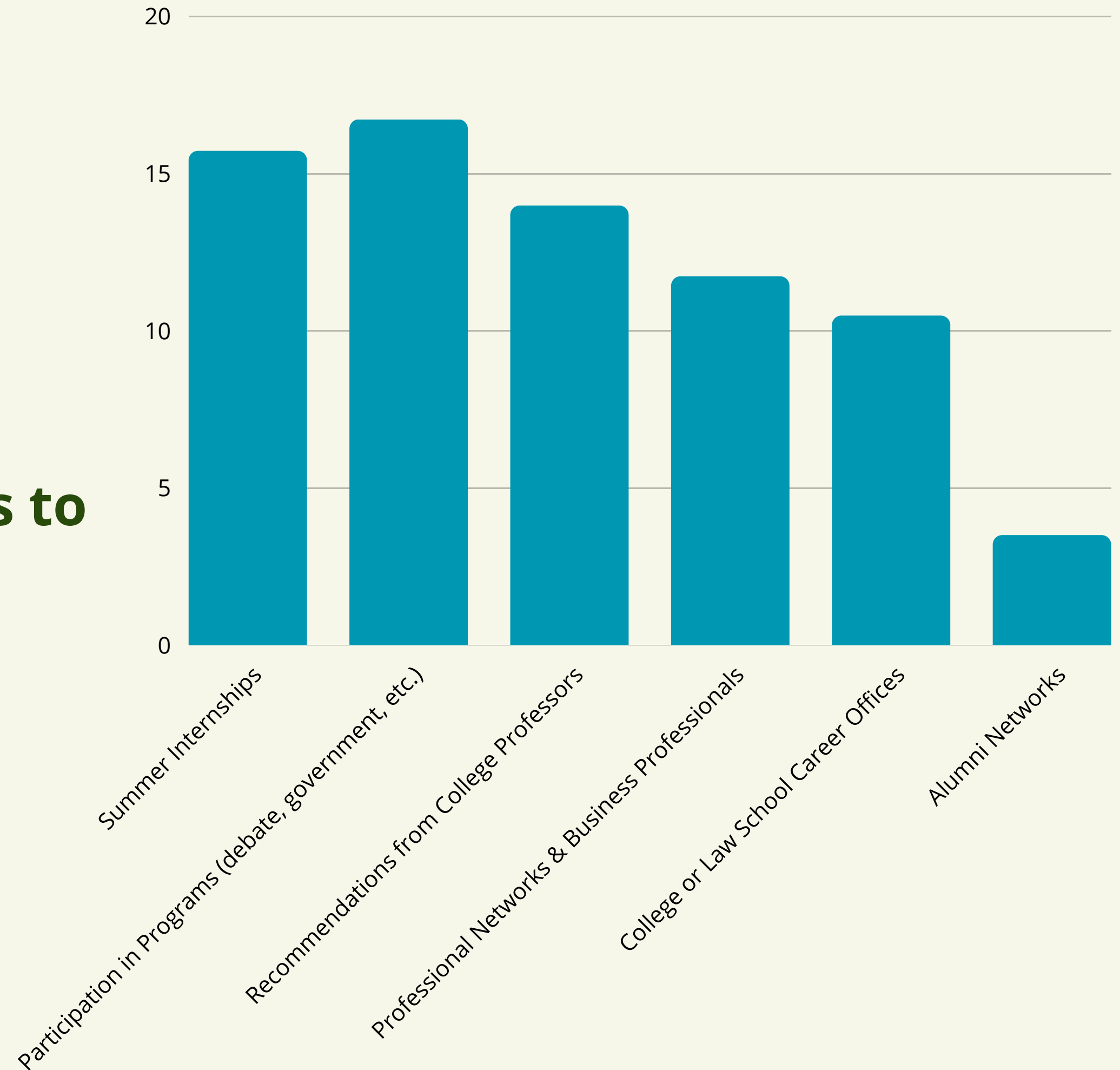
Schultz-Zedeck Lawyering Effectiveness Factors: 8 Umbrella Categories

Intellectual & Cognitive	Negotiation Skills	ADVOCATING AND INFLUENCING	Networking
	Flexibility in Thinking (Integrating Other Perspectives)		Business Development
	Creativity & Ability to Generate Solutions		Providing Advice & Counsel
Research & Information Gathering	Deal-Making	WRITING	Building Relationships with Clients
Communications	ANALYSIS AND REASONING	SPEAKING	Passion & Engagement
	CREATIVITY & INNOVATION	LISTENING	Integrity, Honesty & Trustworthiness
	PROBLEM SOLVING	Relationship Building in the Legal Profession	Community Involvement & Service
Planning & Organizing	PRACTICAL JUDGMENT	Evaluation Skills	Commitment to Self-Development
Client & Business Relations/Entrepreneurship	Researching the Law	Commitment to Professional Development (Your Own, and Others')	Diligence
	Fact Finding	Mentoring – Being Mentored, Mentoring Others	Stress Management
	Questioning	Organizing & Managing Your Own Work	Growth Mindset
Working with Others	Interviewing	Organizing & Managing Others' Work	
Character		Prioritization – Time & Resource Allocation	
Conflict Resolution			

Where are Native Americans Finding Encouragement and Support?

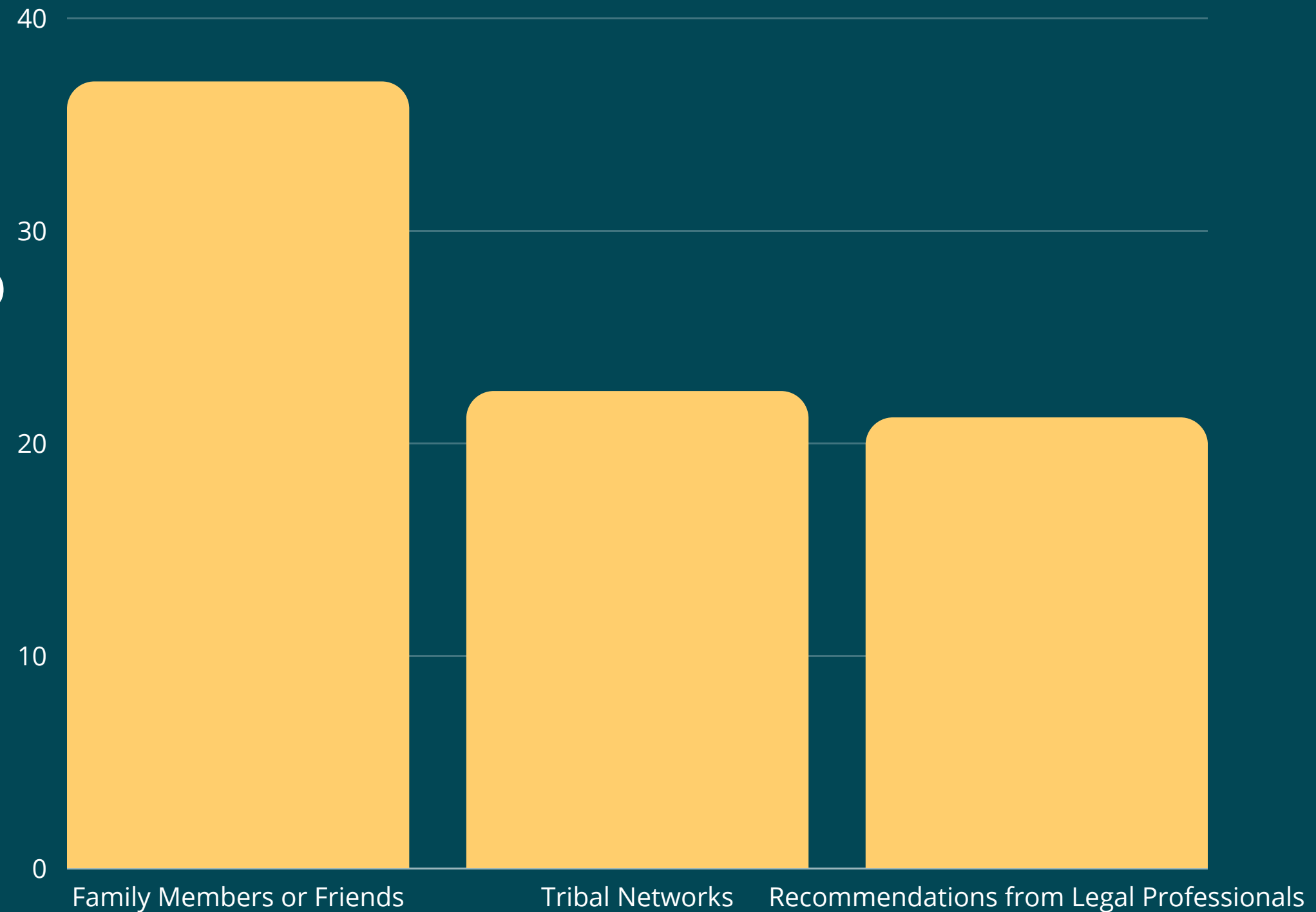
LESS Impactful Factors that Influenced Native Americans to Pursue Law

- Less likely to be influenced by someone in or connected to the college setting (professors, alumni, career offices)
- Somewhat more likely to be influenced by direct experiences (internships, engagement, etc.)



MORE Impactful Factors that Influenced Native Americans to Pursue Law

Native American attorneys reported that connections made and/or information received through family members and friends was the single most influential factor in their decision to pursue law school



Look at Other Pathways



- Military
- Law Enforcement
- Master's Programs
- Programs serving older students, student parents, re-entry students & transfer students. (Only 16.4% of NA law school graduates are 24 or younger.)
- Identify other advisers: Native Student Development Programs
- AISES, SACNAS & Other STEM programs

Primary Perceived Barriers to Legal Education for Native Americans

Financial: Application expenses, LSAT preparation, tuition & fees

Lack of information about law school options & admissability, app process

Knowledge of how to prepare & be successful in law school

Challenges creating networks, both in & before law school

College Horizons, College Horizons Scholars Program, and Graduate Horizons

<http://www.graduatehorizons.org/>

- Contact: Carmen Lopez, ED carmen@collegehorizons.org

Pathway to Law (Law School partners: ASU, MSU, UC Berkeley, others)

<https://law.asu.edu/conferences/native-american-law-school-admissions-workshops>

- Tailored programming: “A conversation about advocacy (as lawyer and non-lawyer) – Working In/With/For Native Nations and Communities,” “Thriving in Graduate School and an Indigenous Student,” “Federal Indian Law Mock Class,” “Lunch with Native Attorneys,” etc.

Native Law Pipeline Initiative (CA Indian Law Association, NNABA)

- Contact: caindianlaw@gmail.com

PLSI <https://www.aile-inc.org/plsi/about/>

- In NNABA study, 30% of NA attorneys respondents had participated in PLSI and felt it had greatly contributed to the decision to attend law school, their level of preparation, and their success.
- In addition to the summer institute at UNM, PLSI supports recruitment by law schools, offers a Judicial Clerkship Program in partnership with the ABA, the NA Bar Passage Initiative, financial assistance for books, hosts other conferences, etc.

Programs to Address Barriers

Takeaways:



Innovate

You can't rely on law fairs, career offices, and college events to reach Native American candidates.



Don't Be Extractive

Invite community into your institutions. Add value.

Create programs and opportunities that are sustainable. Show up, and demonstrate a commitment over long periods of time.



Be Authentic, Make Connections

Tribal Education Chairs, Education Offices, and TCUs are critical contacts.

Build trust and reputation.



National Native American Bar Association (NNABA) - “The Pursuit of Inclusion: An In-Depth Exploration of the Experiences and Perspectives of Native American Attorneys in the Legal Profession”

National Congress of American Indians (NCAI) - Resolution #DEN-18-009 “In Support of Affirmative Action Policies and Against the Withdrawal of Guidance on Affirmative Action” (Sept 2018)

National Coalition for the Advancement of Natives in Higher Education (NCANHE)

Indigenous People Knowledge Community (IPKC)

American Indian Higher Education Consortium (AIHEC)

National Native American Law Students Association (NNALSA)

American Indian College Fund

- “Creating Visibility and Healthy Learning Environments for Native Americans in Higher Education” (2019)
- “Native Pathways, a College-Going Guidebook” (2019)

ASHE-NITE Paper Series (2018). “Bringing Visibility to the Needs and Interests of Indigenous Students: Implications for Research, Policy, and Practice.” Nicole Alia Salis Reyes, Assistant Professor, Educational Administration, The University of Hawai’i, Manoa; and Heather J. Shotton, Associate Professor, Native American Studies, University of Oklahoma.

Indigenous Education Inc. (Cobell Scholarship)

American Indian Graduate Center (AIGC)

AISES

Turtle Talk – “The leading blog on issues in Indian Country” <https://turtletalk.blog/>

FedBar Annual Conference

“The Growing Market for Indian Lawyering” by Matthew Fletcher, Tribal College, Journal of American Indian Higher Education (2015)

<https://tribalcollegejournal.org/the-growing-market-for-indian-lawyering/>