Asian-American Law School Enrollment Has Dropped More Than 40 Percent: Study

By Kimberly Yam   7/26/2017

People often think of Asian-Americans as doctors or lawyers, but the group hasn't been flocking to law school in recent years, new research shows.

The first comprehensive study on Asian-Americans in law, released earlier this month, revealed that the group's first-year enrollment rate in law school has declined more than any other race. In fact, the number of Asian-Americans who entered law school in 2016 dipped down to the lowest it's been in more than two decades.

"It does mean that the growth of Asian-Americans going into the profession is going to be slower ... so this is worrisome." Justice Goodwin Liu, who co-authored the study, told HuffPost.

Liu said that there could be real consequences to the decline in Asian-American professionals in law as "the decisions that are made in these contexts benefit from the experiences of people of all the different backgrounds that make up this country."

Researchers examined Asian-Americans' trajectory within the legal field. While the number of Asian-Americans in law had quadrupled over the past three decades, first-year enrollment has fallen by more than 40 percent since 2009.

Co-author Xiaonan April Hu told HuffPost it's possible that the recession could have impacted Asian-Americans' decisions to go to law school as major law firms were accepting fewer summer associates and giving out fewer offers at the time. Perhaps Asian-Americans believed law wouldn't give them the financial stability that the profession was thought to have, Hu said.

Liu says that while the decline isn't dire, it's definitely concerning. Currently, Asians are the fastest-growing racial group in the U.S. And Liu believes that when the legal field or any other institution is more representative of society, it gains legitimacy. He also brought up that having more perspectives and diversity in law, like other industries, is beneficial particularly when discussing discriminatory policies.

"What would it had been like if the question of Japanese internment had come up in a society where there were Asian-Americans at the table?" he noted to HuffPost.

Another key finding in the report highlighted a clear "bamboo ceiling" in the industry. The group represents 10.3 percent of graduates from the nation's top law schools, however few make it to top leadership positions. In law firms, they are less well represented at the management level compared to all other racial groups. In terms of prosecutors, there are only 3 Asian-Americans serving as U.S. attorneys. And as of 2014, there are only four working as elected district attorneys.

The group wasn't represented much more among judges, either. They make up about 3 percent of the federal judiciary and comprise 2 percent of state judges.

Many of the respondents reported that implicit bias and stereotypes proved to be barriers to climbing up in the legal world. Hu explained that many respondents indicated that Asians are associated with being hardworking, responsible, logical, careful and quiet, and these stereotypes hurt them in the long run. In the legal profession, "calculated aggression" in a litigator is highly desirable, she said.

"As an Asian American litigator, you might not be passive or uncreative, but that's the impression people will have of

you, and overcoming that is part of the challenge facing AAPI attorneys today," Hu told HuffPost. "There is something about the model minority stereotype that runs counter to what people expect a lawyer to look like."

Other participants noted inadequate access to mentors and contacts prevented them from career advancement. Hu mentioned it's possible that stereotypes could have affected other professionals' outlook, making them less willing to take an Asian-American attorney under their wing — especially when left with little extra time and energy. She added that with the overwhelming majority of Asian-Americans coming from families with no lawyers as parents, it's also likely that first-generation lawyers experienced more difficulty navigating the field and forging professional relationships.

Mental health was also examined in the study, and Asian-Americans lawyers experienced higher rates of anxiety, depression, and panic attacks than the legal profession as a whole. More than half of those who reported mental health challenges didn't seek help. While some of these issues could be tied to career stagnation or discrimination, Hu said more research must be done to determine why the minority group experiences these higher rates.

Going forward, the study's authors hope their work will influence those in the profession to zero in on issues like upward mobility and mental health that disproportionately affect the community. Further research must be done to better understand the underlying causes of many of these findings. But to start, Hu says it's important for employers to assess their own biases and create an environment where Asian-Americans feel it's appropriate to express their concerns.

"We've presented the landscape; the question now is what will employers and employees do with this information?"