



The State Bar of California

From Entry to Exit: A Holistic View of Diversity in the Legal Profession

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Special acknowledgments to Mark Verzhbinsky and Paris McKinley from UC Berkeley, Class of 2025, and Lissette Garcia, Senior Program Analyst at the State Bar of California.

California Access to Justice Commission, October 1, 2024

Snapshots of the Legal Profession in California at Different Stages

Profile of California Law Schools

This report is the first to comprehensively explore the three distinct types of law schools in California that provide opportunities to pursue a Juris Doctor (JD) degree: schools approved by the American Bar Association (ABA), schools accredited by the State Bar of California's Committee of Bar Examiners (CALs), and unaccredited schools registered with the State Bar of California.

CALS and Unaccredited Law School Performance

The State Bar published the first California Accredited and Registered Unaccredited Law School Performance Report in 2023 and another in 2024. These reports contain key measures for CALs and Unaccredited Law Schools.

Diversity Report Cards

The State Bar's diversity report cards describe the demographic composition of California attorneys and analyze changes in demographic representation. The 2019 Long Census also collects data on the practice sector, income, and professional environment.

Profile of California's Inactive Attorneys

This report examines how the number of licensees on inactive status* has changed over the last 10 years, the diversity among California attorneys who transfer to inactive status, and the reasons behind their decision.

*Inactive status applies to licensees who choose voluntarily not to practice. They may return at any time to active status by paying required fees and complying as necessary with any fingerprinting requirements.



Purpose of This Talk

1. This talk is the first effort to connect some of the key data points across the snapshot reports and track the four largest racial/ethnic groups from entry to exit.
2. It aims to provide a holistic view of diversity in the legal profession; focusing on:
 - The representation of different racial/ethnic and gender groups at different stages
 - Legal educational opportunities (including enrollment, attrition, and bar exam passage)
 - Professional environment (including the decision to leave the legal profession)



An Overview of Diversity in the Legal Profession in California

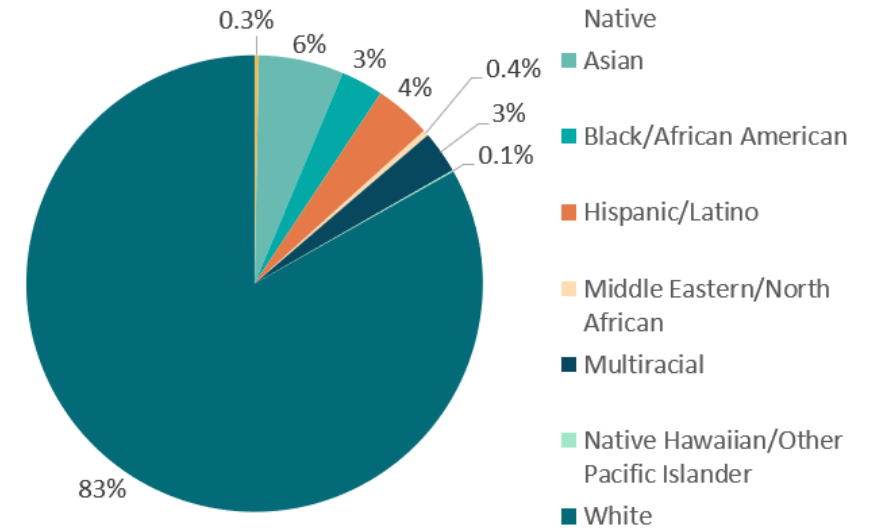
Two Perspectives: Past vs Present and California vs U.S.



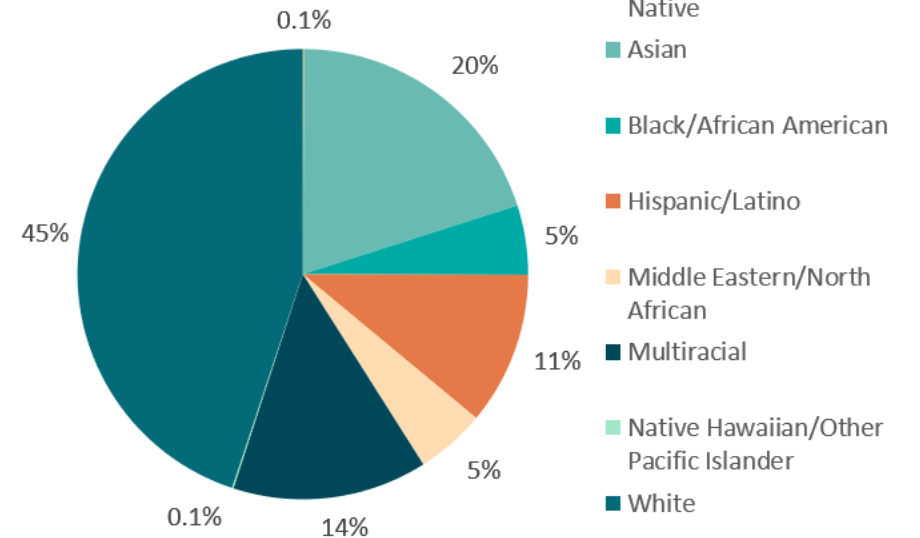
Past vs Present: Newly Admitted Attorneys

- Hispanic/Latino Attorneys:
 - 4% → 11% (nearly **tripled**)
- Black/African American Attorneys:
 - 3% → 5% (nearly **doubled**)
- Asian Attorneys:
 - 6% → 20% (more than **tripled**)
- Multiracial Attorneys:
 - 3% → 14% (more than **quadrupled**)
- Middle Eastern/North African Attorneys:
 - .4% → 5%
- **White:**
 - **83% → 45%**

1990 Bar Admits



2023 Bar Admits

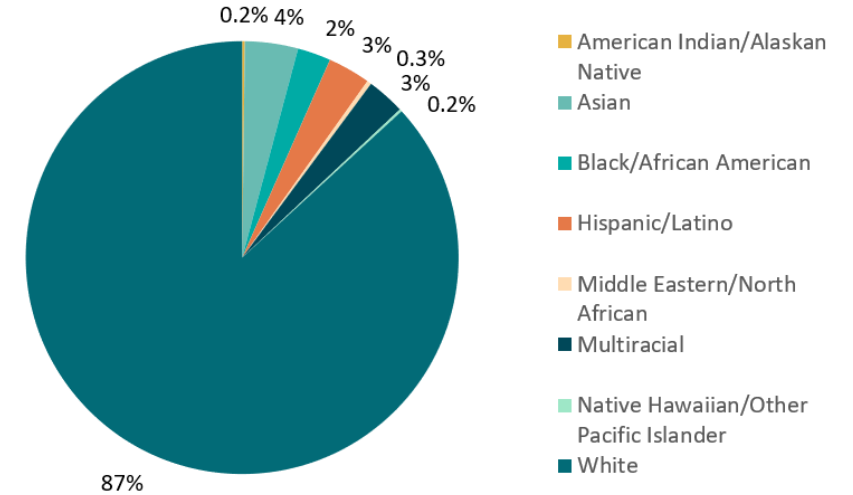


Past vs Present: All Active Attorneys (I)

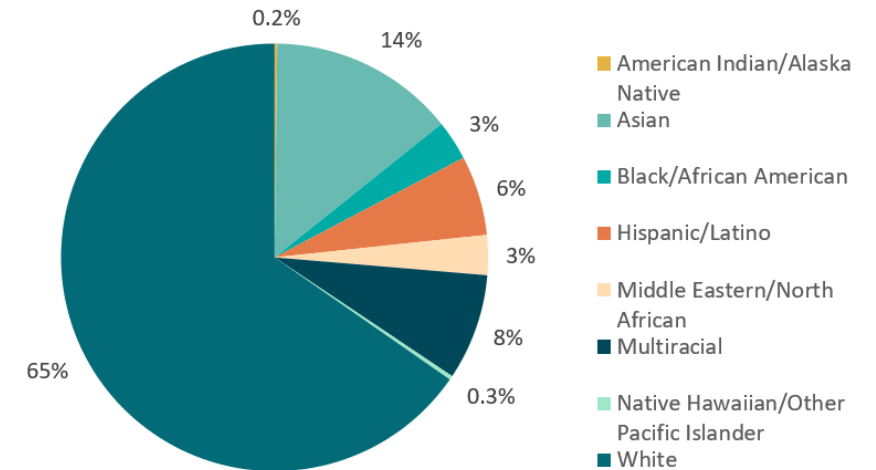
Race/Ethnicity

- Hispanic/Latino Attorneys:
 - 3% → 6% (**doubled**)
- Black/African American Attorneys:
 - 2% → 3%
- Asian Attorneys:
 - 4% → 14% (more than **tripled**)
- Multiracial Attorneys:
 - 3% → 8% (nearly **tripled**)
- Middle Eastern/North African Attorneys:
 - .3% → 3%
- **White Attorneys:**
 - 87% → 65%

California Attorney Population (1990)



California Attorney Population (2023)

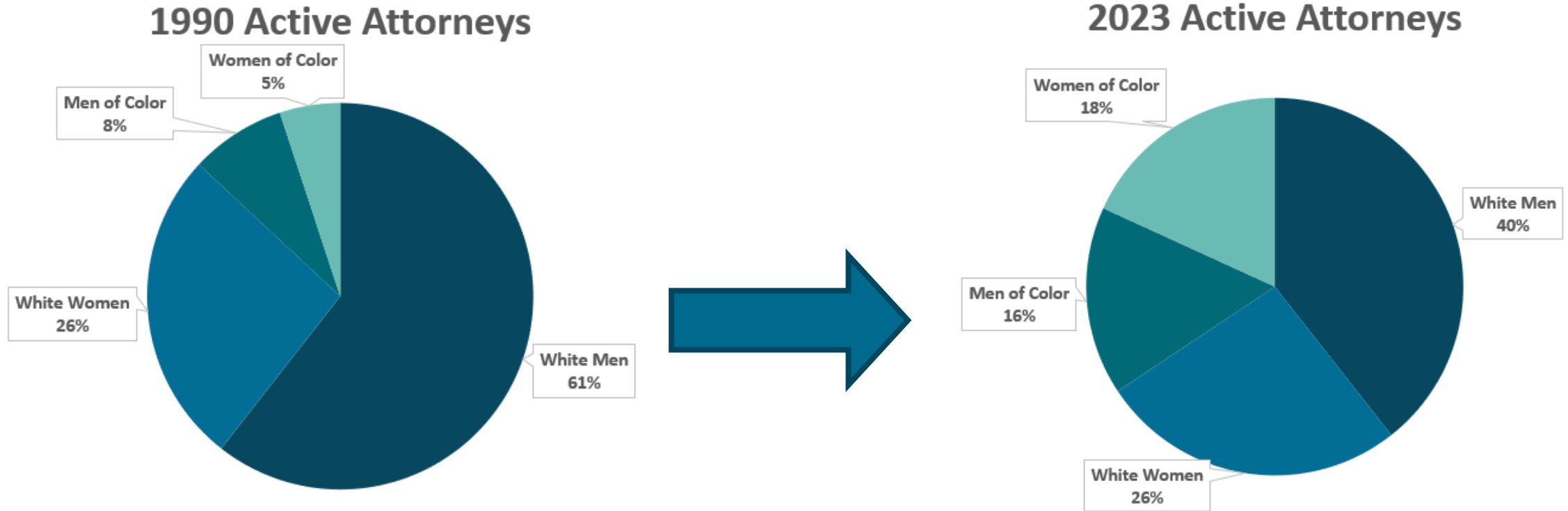


The share of active attorneys in 1990 with “unknown” race/ethnicity (44%) and attorneys who selected only “Other race, ethnicity, or origin” (.2%) were excluded from the analysis.

Past vs Present: All Active Attorneys (II)

Gender

- The proportion of white women has remained steady; the proportion of white men has decreased.
- The proportion of men of color has doubled; the proportion of women of color has more than tripled.

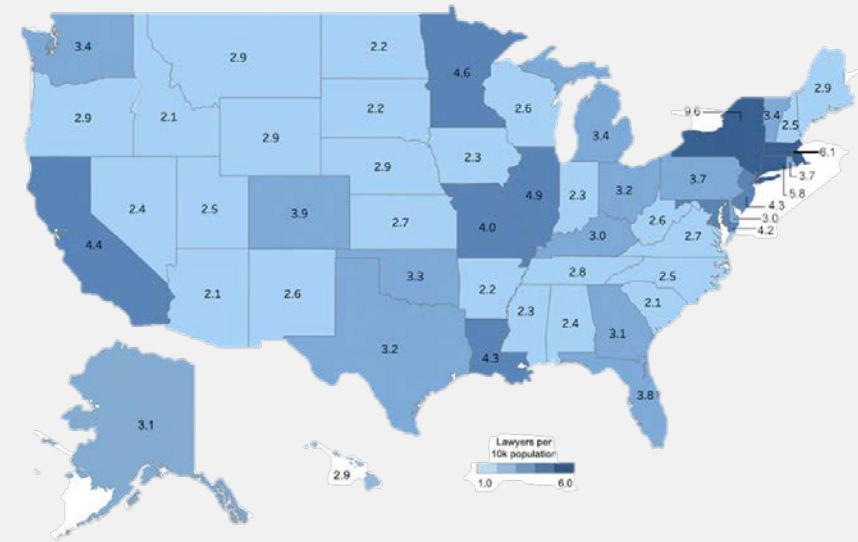


The share of attorneys with “unknown” gender were excluded from the analysis (42%).

California vs U.S. -- Context

According to the report *The ABA Legal Profession 2023*:¹

- **Size:** California is the second-largest Bar in the country. With New York, it makes up more than one-quarter of the nation's lawyers
- **Density:** California has 4.4 lawyers per 1,000 residents, ranking 6th in the nation, below New York, Massachusetts, Connecticut, Illinois, and Minnesota
- **Diversity:** The CA attorney population is more diverse than the US (35% vs 21% attorneys of color).

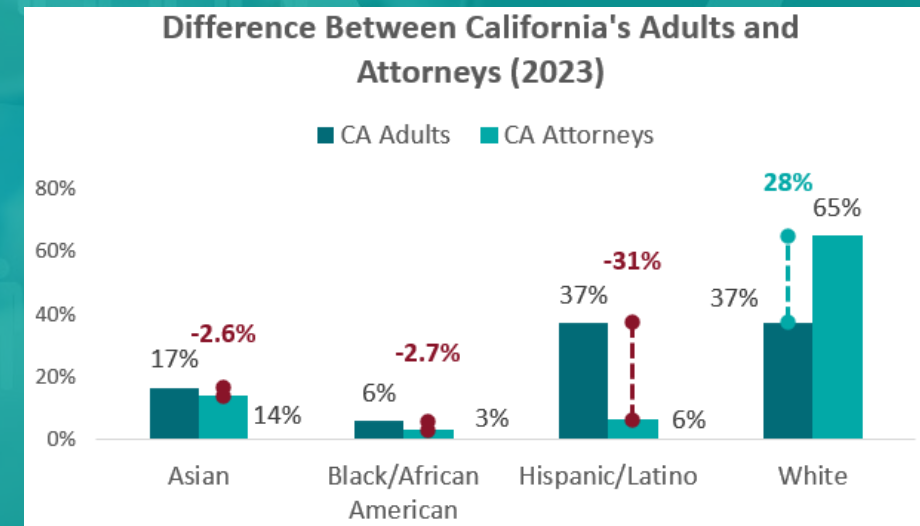
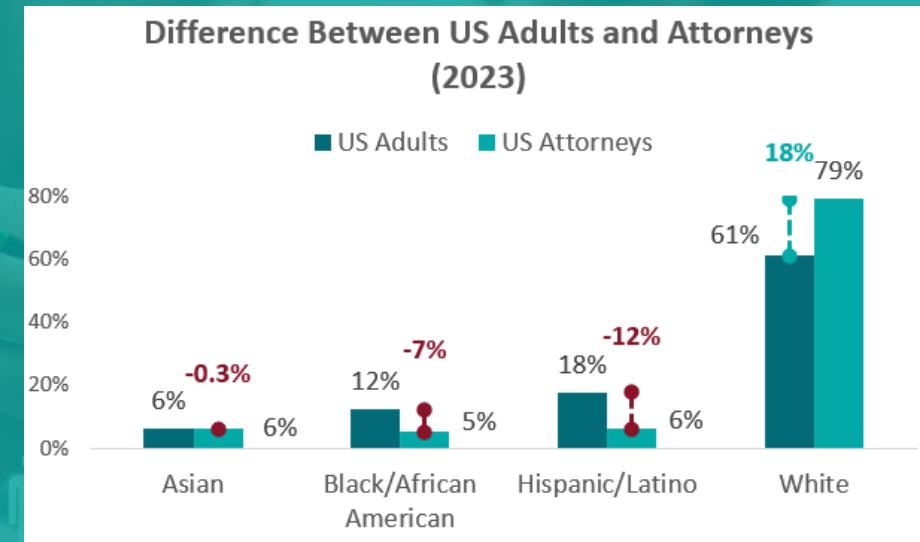


¹ American Bar Association. (n.d.). *ABA Profile of the legal profession - Lawyer demographics*. <https://www.abalegalprofile.com/demographics.html>



California vs U.S. -- Diversity in Terms of Representation

- White attorneys are **more overrepresented in California** than in the U.S. as compared to the adult population
- Hispanic/Latino attorneys are **underrepresented by a greater margin** in California than in the U.S.
- Asian attorneys are also **more underrepresented** in California than in the U.S.
- Black/African American attorneys are **less underrepresented** in California than in the U.S.



Tracking Four Racial/Ethnic Groups From Entry to Exit

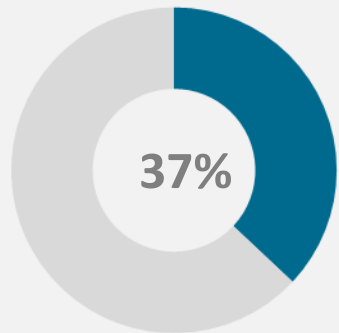
Four Stages: 1) Law School; 2) Newly Admitted; 3) Active; 4) Inactive



Hispanic/Latino

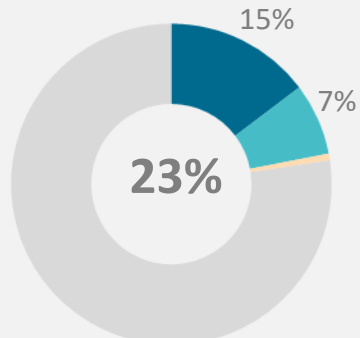
CA Adults 2022

Total: 30,457,672



CA Law Students 2022

Total: 17,102

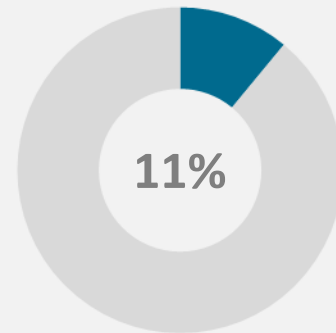


■ ABA
■ CALS
■ Unaccredited

1L Attrition Rate: 21%
JDs Awarded (N): 879

New Attorneys 2023

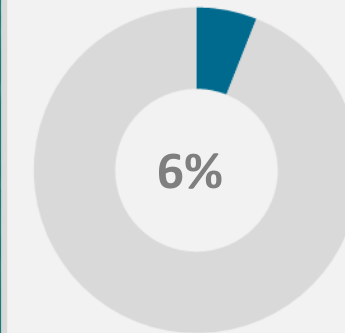
Total: 5,423



July 2022 Bar Exam
Pass Rate: 36%

All Active Attorneys 2023

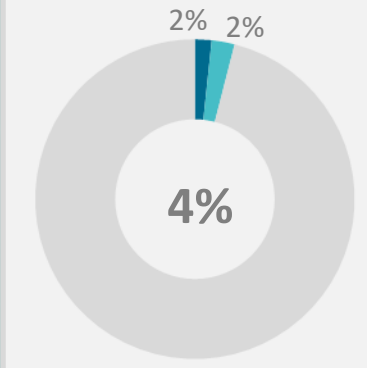
Total: 196,000



Average Age: 45

Inactive Transfers 2023

Total: 4,617



■ Retirement
■ Non Retirement

Average Age: 55

**Attrition rate, number of JDs awarded, and bar exam pass rate are aggregated across all CA school types. Bar exam pass rate is also aggregated across first-time and repeat test takers.*



Highlighted Stories: Hispanic/Latino Attorneys

Legal Education

- Hispanic/Latino students made up **23% of law students but only made up 11% of new admits**. The transition from law school to becoming a new attorney poses the greatest challenge.
- **Hispanic/Latino students are less likely to enter the legal profession compared to other groups.**

Going Inactive

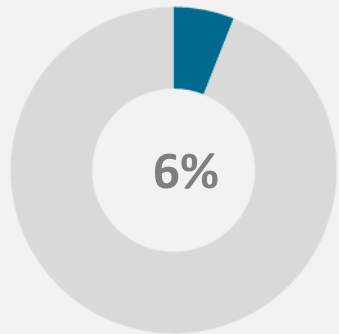
- About half of the group transferred from active to inactive for non-retirement reasons (53%).



Black/African American

CA Adults 2022

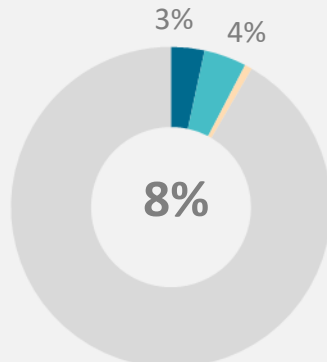
Total: 30,457,672



6%

CA Law Students 2022

Total: 17,102



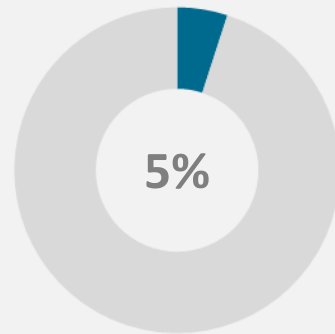
8%

■ ABA
■ CALS
■ Unaccredited

1L Attrition Rate: 40%
JDs Awarded (N): 248

New Attorneys 2023

Total: 5,423

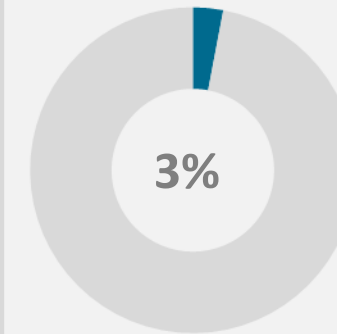


5%

July 2022 Bar Exam
Pass Rate: 26%

All Active Attorneys 2023

Total: 196,000

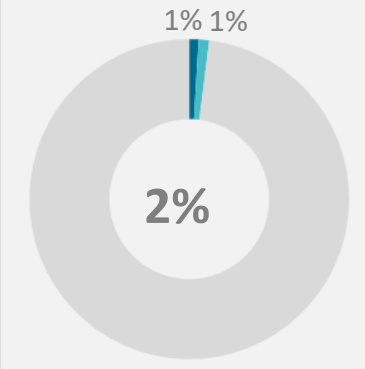


3%

Average Age: 49

Inactive Transfers 2023

Total: 4,617



2%

■ Retirement
■ Non Retirement

Average Age: 61

**Attrition rate, number of JDs awarded, and bar exam pass rate are aggregated across all CA school types. Bar exam pass rate is also aggregated across first-time and repeat test takers.*



The State Bar of California

Highlighted Stories: Black/African American Attorneys

Education

- Most Black/African American law students in CA (60%) did not attend ABA-approved schools
- They consistently had some of the **highest 1L attrition rates** across all school types

Going Inactive

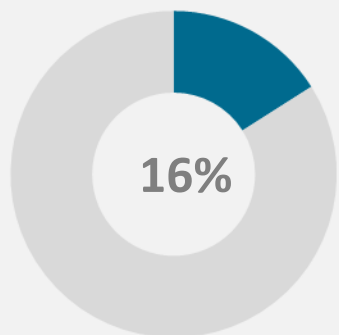
- Black/African American attorneys left for non-retirement reasons (53%)
- Black/African American lawyers were **the only group to mention a lack of "diverse colleagues and networks"** as a primary reason for leaving the profession.



Asian

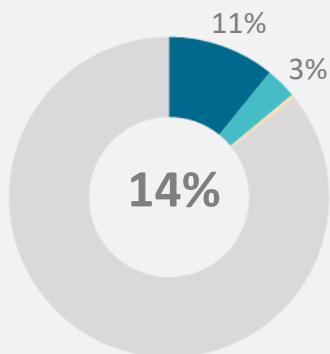
CA Adults 2022

Total: 30,457,672



CA Law Students 2022

Total: 17,102

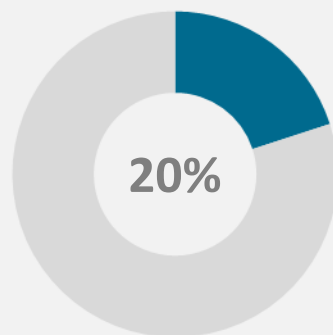


- ABA
- CALS
- Unaccredited

1L Attrition Rate: 15%
JDs Awarded (N): 564

New Attorneys 2023

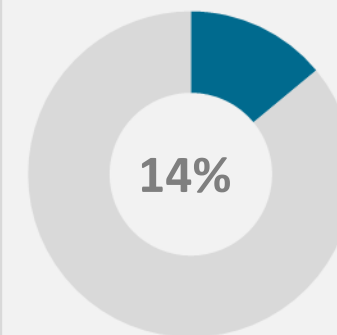
Total: 5,423



July 2022 Bar Exam
Pass Rate: 45%

All Active Attorneys 2023

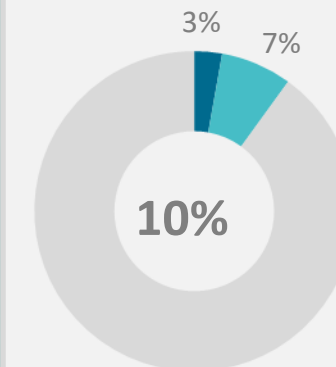
Total: 196,000



Average Age: 44

Inactive Transfers 2023

Total: 4,617



- Retirement
- Non Retirement

Average Age: 49

*Attrition rate, number of JDs awarded, and bar exam pass rate are aggregated across all CA school types. Bar exam pass rate is also aggregated across first-time and repeat test takers.



Highlighted Stories: Asian Attorneys

- Asian Attorneys were the youngest to leave the profession; 92% of Asian attorney inactive transfers were under 70 years old.
- The majority of Asian attorneys (72%) left for non-retirement reasons.
- Asian lawyers were the **only group to cite a lack of "clearly defined career path"** as a primary reason for leaving.
- These indicators are **more prominent in Asian women** – they leave for nonretirement reasons earlier and at higher rates and than their male counterparts

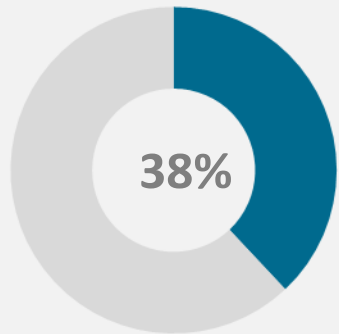
Transfer to Inactive	Asian	Black/African American	Hispanic/Latino	White
Average Age	49	61	55	61
Under Age 70	92%	71%	79%	61%
Non-retirement Reasons	72%	53%	58%	37%



White

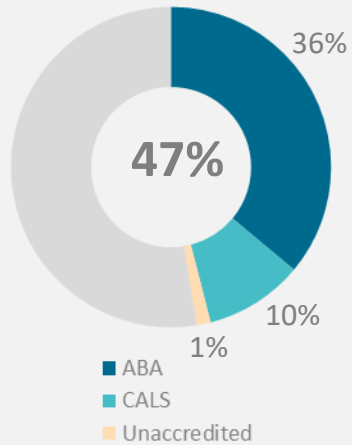
CA Adults 2022

Total: 30,457,672



CA Law Students 2022

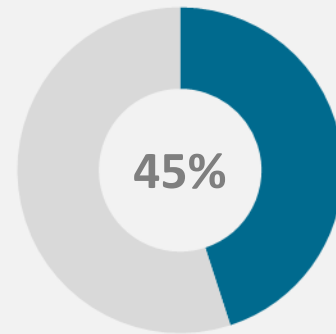
Total: 17,102



1L Attrition Rate: 18%
JDs Awarded (N): 2,220

New Attorneys 2023

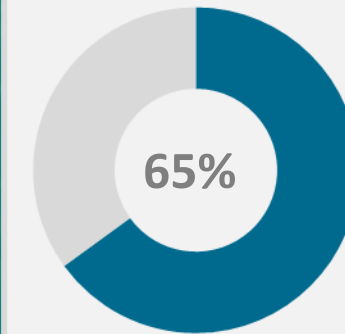
Total: 5,423



July 2022 Bar Exam
Pass Rate: 65%

All Active Attorneys 2023

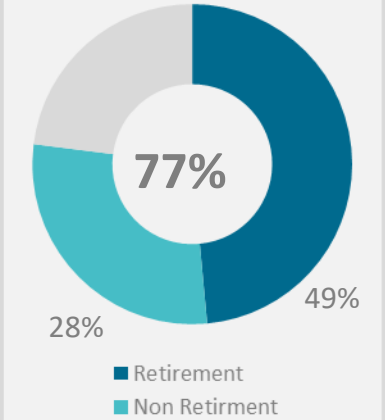
Total: 196,000



Average Age: 53

Inactive Transfers 2023

Total: 4,617



Average Age: 61

**Attrition rate, number of JDs awarded, and bar exam pass rate are aggregated across all CA school types. Bar exam pass rate is also aggregated across first-time and repeat test takers.*



Highlighted Stories: White Attorneys

- White law students had the highest enrollment rates in ABA-approved JD programs, at 76% (tied with Asian law students).
- White attorneys also had the highest Bar Exam Pass rates.
- Seventy-seven percent of those who transferred were white attorneys, with an average age of 61. Most of them left due to retirement.



The Path to a More Diverse Legal Profession

To eventually attain a more representative California attorney population:

- Legal education needs to be accessible and of high quality for people of color, particularly for Hispanic/Latino and Black/African American law students.
- It is crucial to emphasize the importance of diversity in creating an environment that can retain and support attorneys of color, especially Asian attorneys, in the legal profession.

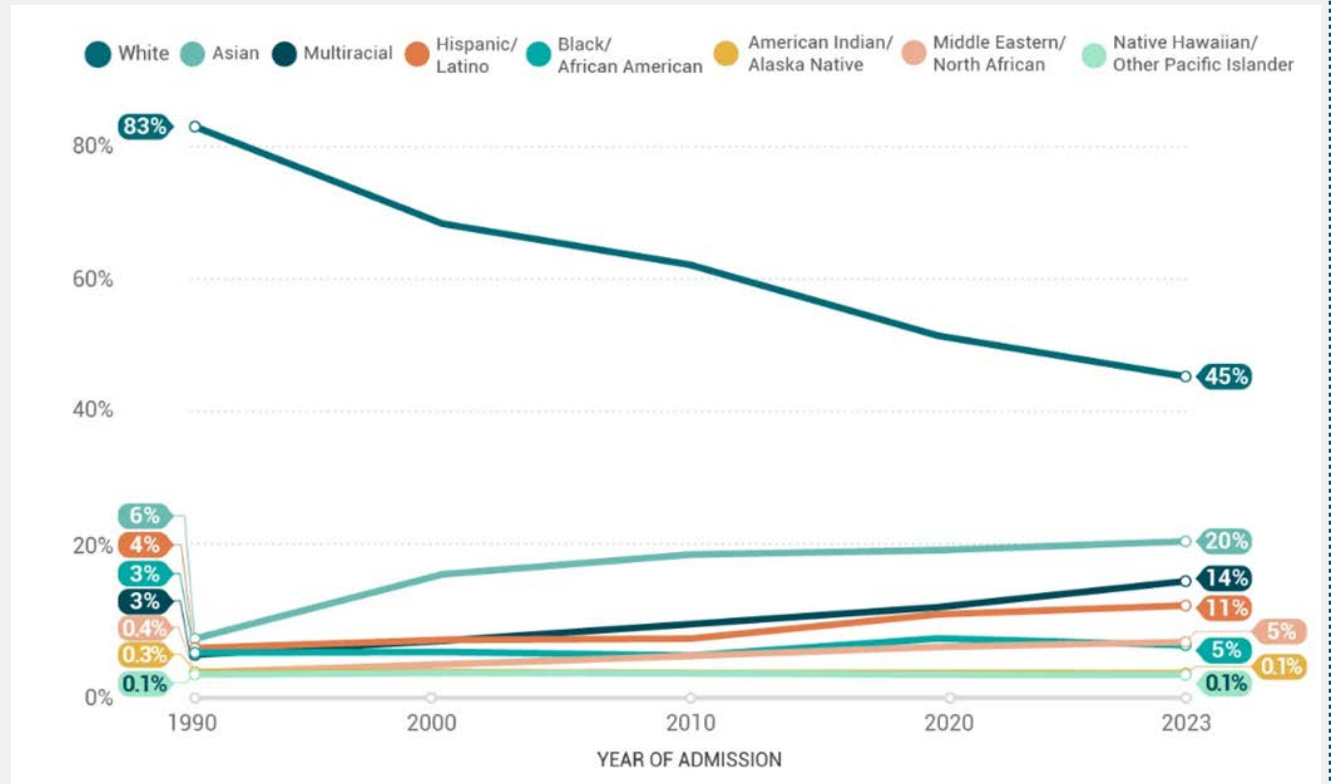


The Path to a More Diverse Legal Profession: State Bar Initiatives



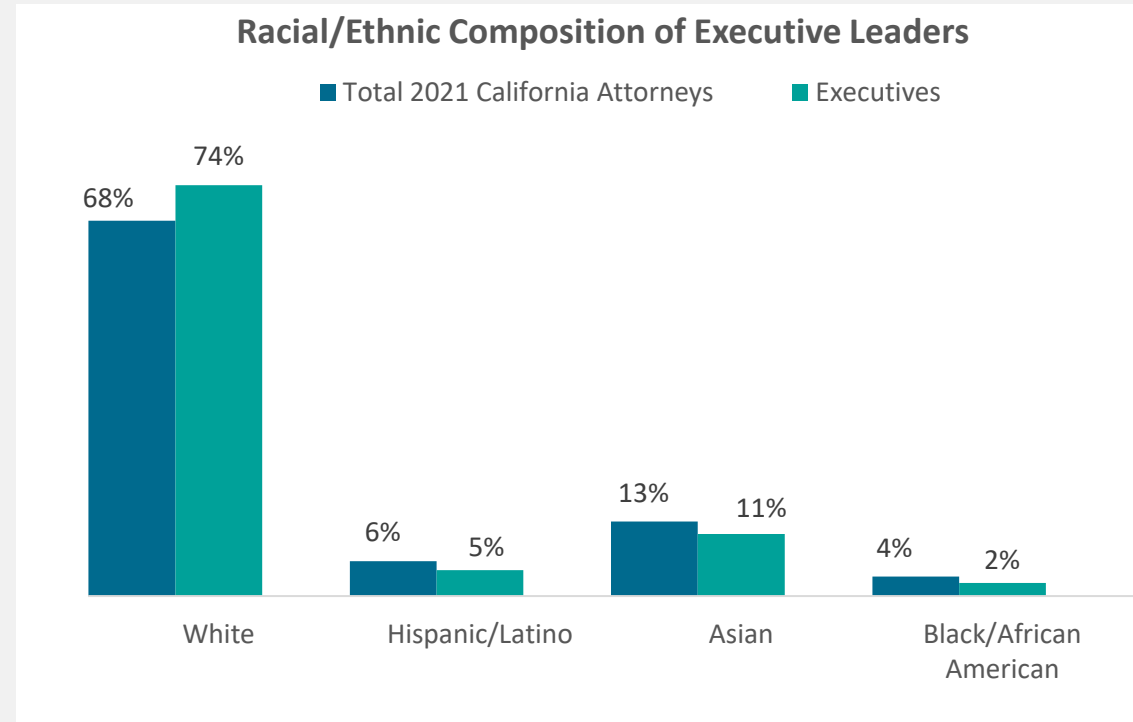
Initiatives to Support the Law School to Bar Admission Pipeline

- 2022 Profile on California Law Schools
- [California Strategies and Stories Program](#)
- [Guiding Principles in Examination Development to Minimize Potential Bias in Bar Exam Questions](#)
- [Blue Ribbon Commission on the Future of the Bar Exam](#)
- Legal Aid Leaders Fellowship Grants



Disparities by Race/Ethnicity in Leadership Positions

- Disparities exist at the executive leadership level in the legal profession.
 - White attorneys are overrepresented, while Asian, Black/African American, and Hispanic/Latino attorneys are underrepresented in executive positions
 - Women of color are underrepresented in executive leadership positions in all sectors (please see the 2022 Diversity Report Card).
- Professional environments need to be welcoming and offer advancement opportunities to retain keep attorneys of color and support their advancement in leadership positions.



Initiatives to Support Retention and Advancement in the Profession

- [DEI Leadership Seal Program](#)
 - Goal to encourage all legal employers to publicly commit to advance diversity, equity, and inclusion in the legal profession.
 - Available to all legal employers with California attorneys, including law firms, in-house legal departments, legal academia, nonprofit organizations, and government agencies with attorney staff.
- Diversity Summits
 - Stakeholder convenings with leaders in the legal profession to share data and information, and discuss common issues and solutions



Initiatives to Address Disparities in Attorney Discipline System

- In 2019, Professor George Farkas studied attorneys admitted to the State Bar from 1990 to 2009. The [study](#) found that black male attorneys had three times the probation rate and four times the disbarment/resignation rate of white male attorneys.
 - This prompted the State Bar to engage in a series of reforms to the attorney discipline system to address these disparities, including the [Ad Hoc Commission on the Attorney Discipline System](#).
- In 2024, the State Bar will update the 2019 study to examine the current state of disparities in the attorney discipline system and see whether any progress has been made in addressing such disparities.



Data Sources & Methodology

State Bar of California's Reports:

- [2019 Report Card on the Diversity of California's Legal Profession](#)
- [2022 Report Card on the Diversity of California's Legal Profession](#)
- [2023 Report Card on the Diversity of California's Legal Profession](#)
- [2022 Profile of California Law Schools](#)
- [2022 California Accredited and Registered Unaccredited Law School Performance Report](#)
- [2023 California Accredited and Registered Unaccredited Law School Performance Report](#)
- [2022 July California Bar Exam Statistics Report](#)
 - Note: Bar Exam Pass rates in this presentation are shown as the combined pass rate for First Time and Repeat test takers
- [2024 Profile of CA Inactive Attorneys](#)

External Data Sources:

- [2023 ABA Profile](#)
- [2023 Population Estimates](#)

Methodology:

- Figures and percentages used were drawn from the aggregated findings from these source reports
- For a more in-depth understanding of this presentation's methodology see the "Methodology" sections of each report
- "Decline to state/unknown" and "Other" race ethnicity categories are excluded from most analyses



Questions?

