



MINORITY PARTICIPATION IN LEGAL EDUCATION PROGRAM

**Report and Recommendations by the
Florida Postsecondary Education Planning Commission**

December 1999

POSTSECONDARY EDUCATION PLANNING COMMISSION

Minority Participation in Legal Education Program

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EXECUTIVE SUMMARY

The 1999 Legislature directed the Postsecondary Education Planning Commission to conduct a review of the Minority Participation in Legal Education Program (MPLE) to determine the most appropriate entity to administer that program and to assess the effectiveness of the MPLE in increasing the number of minorities who enroll in the state's accredited law schools and who practice law in Florida.

The Legislature created the MPLE in 1994 to address the serious underrepresentation of minorities in the state's legal profession. Today, that disparity is a nationwide concern. According to the American Bar Association (ABA) only one in 25 lawyers is African American, Hispanic, Asian American, or Native American. In Florida, where minorities comprise approximately thirty percent of the population, six percent of attorneys are Hispanic and two percent are African-American.* Despite these discouraging statistics, Florida had the highest percentage of enrolled minority law students in 1995-96 (among comparison states) and was ranked third among those states for the number of law degrees awarded to minorities. Yet, a 1999 survey of employers in Florida conducted by the MPLE, revealed that almost two-thirds of respondents reported having less than 20 percent of their staff attorneys from minority backgrounds. Eighty-five percent of respondents agreed that "minorities are under-represented in the legal profession."

Minorities are seriously underrepresented in the state's legal profession.

Like other states, Florida has tried various affirmative action initiatives to increase the number of minorities enrolling in the state's professional schools. According to nationwide data available to the Commission, the MPLE, comprised of pre-law and law scholarship components, is unique to Florida. The two scholarship programs provide financial and academic support to approximately 67 law students and 34 pre-law students per year. While the MPLE has not reached the original legislative goal of increasing by 200 the number of law students enrolled in the state's accredited law schools, it has achieved over 90 percent of that goal. Minority enrollment in Florida law schools has increased by 17 percent since 1993-94 (the year before the MPLE was implemented).

While black applicants have received over two-thirds of MPLE awards since the program's inception, the largest increase among minority law students has occurred among Hispanics. Due to a variety of factors, the number of African-Americans enrolled in Florida law schools has actually declined 17 percent, from 497 students in 1993-94 to 425 students in 1998-99. Proponents for one or more new law schools point to this discouraging statistic as well as to the failure of the MPLE to meet the enrollment quota initially established by the Legislature. Despite these concerns, the Board of Regents has twice rejected proposals to establish additional law schools as neither the most cost effective or appropriate means to increase minority enrollment. While the Commission did not conduct a separate review of those proposals during the course of this

* Based on self-reported data provided to the Florida Bar Association.

study, it was noted that the establishment of new law schools would not necessarily negate the necessity of maintaining scholarship programs like the MPLE to increase minority enrollment and graduation.

***MPLE student outcomes
are impressive.***

The MPLE's program outcomes for the first three classes of law scholarship recipients are impressive. For instance, 97 percent of the 200 recipients have received their J.D. degree. Eighty-three percent of the first two law classes have passed the Florida Bar exam. Seventy-one percent of pre-law scholars have attended or are currently attending law school in Florida. According to a survey conducted by the Commission of MPLE law scholarship recipients, 72 percent reported receiving support programs or services provided by the MPLE that helped them "succeed in law school and in their legal careers." The Commission found that academic services were an important part of the MPLE scholarship program and should be strengthened and adequately funded.

At the heart of the Commission's study was how to expand the MPLE scholarship program to a greater number of qualified minority applicants who were not among the select group of applicants already heavily recruited (and supported) by the law schools. At the same time, the Commission was concerned that accountability among institutions that receive funds for tuition and fee waivers be strengthened. Consequently, the Commission recommended that the MPLE be expanded to part-time law students of whom many are minorities; and, that each law school be guaranteed three MPLE scholarships each year as long as they maintain or increase enrollment of African-American and Hispanic law students. Other related recommendations were made to enhance the goal of strengthening and expanding the scholarship program.

Because of concerns that the MPLE might be legally challenged or determined to be unconstitutional because of its race specific selection and award process, the Commission recommended changing the name of the program to the Full Participation in Legal Education Program (FPLE) and broadening the selection process to include groups currently underrepresented in Florida's legal profession.

For six years the FEF has administered the MPLE program with an overhead allowance of only 3.5 percent. The Commission found that funding at this level has restricted recruitment and other academic service related activities. It was determined that it would not be fiscally or programmatically advantageous to relocate the MPLE office in Miami to FEF headquarters in Tampa.

In summary, the Commission found that the MPLE has been successful in increasing the number of minorities attending law schools in Florida and is in line with the state's ongoing commitment to increasing and maintaining access to higher education for all of its citizens. The following recommendations were made to improve, expand, and strengthen the MPLE:

1. *The name of the MPLE Program should be changed to the Full Participation in Legal Education Program (FPLE). The program shall award scholarships to students based on outstanding academic achievement and demonstrated economic need. The purpose of the program should be to continue and encourage diversity in Florida law schools, particularly among African-Americans, Hispanics and groups currently underrepresented in Florida's legal profession. Diversity may include, but shall not be limited to race, color, ethnicity, gender, socio-economic hardships, persons with disabilities, and non-traditional age students.*

2. *The Florida Education Fund (FEF) should continue to administer the FPLE Program. A new FPLE Board of Advisors, comprised of members representing the legal profession, should be established. Section 240.498 (8) F.S. should be amended to read: The law school scholarship program of the Florida Education Fund is to be administered by the Board of Advisors of the Florida Education Fund for the purpose of increasing the number of students who are currently underrepresented in Florida's law schools, particularly African-Americans and Hispanics. The FPLE Board of Advisors shall be comprised of ten members who have demonstrated a commitment to increasing diversity in the legal profession. Members shall be appointed as follows: 1) One member from the Florida Supreme Court; 2) One member from the Florida Board of Bar Examiners; 3) One member from the National Bar Association, Florida Chapter; 4) One member from the Hispanic Bar Association, Florida Chapter; 5) One representative from a public law school selected by the Florida Board of Regents; 6) One representative from a private law school selected by the Independent Colleges and Universities of Florida; 7) two prominent public practicing attorneys selected by the Florida Bar's Equal Opportunities in the Profession Section; 8) One prominent private practicing attorney selected by the Florida Bar's Equal Opportunities in the Profession Section; and, 9) one sitting judge selected by the Florida Bar's Equal Opportunities in the Profession Section.*

3. *FPLE Scholarship awards should be made available to part-time law students. To be eligible recipients must take the minimum number of credit hours as set by the FPLE Board of Advisors. Funding shall be set on a proportional basis as established by the Board. All program requirements, including academic performance standards and post-graduation restrictions, should apply to part-time FPLE recipients.*

4. *Section 240.498 (8) (a) 1. F.S., should be amended as follows: The allowable administrative costs for the FPLE Program shall not exceed ten percent of total program costs.*
5. *The Legislature should adequately fund student support services for the FPLE Law Scholarship Component to include, at a minimum: a beginning law scholars' orientation, first year campus meetings, a law scholars' annual meeting, a resume directory, bar passage support, and supplemental bar preparation clinics.*
6. *The FPLE should require in the contract, that upon graduation from law school, each FPLE recipient must serve as a mentor to a new FPLE recipient for at least three years. The FPLE Board of Advisors should establish policy guidelines for the mentoring component of the contract after considering other existing statewide mentoring programs.*
7. *The FPLE Board of Advisors should work closely with the Florida Bar's Equal Opportunities in the Profession Section to determine how to secure internships, clerkships, scholarships, and employment for minority law students.*
8. *The FPLE law scholarship selection process should be reconfigured as follows: each accredited law school in Florida will be guaranteed three "seats" per year from the total number of scholarships awarded. Funds to support those scholarships will be distributed to the individual law schools. The remaining awards will be competitively distributed during two rounds, one in April and one in July. Twenty-five awards will be withheld each year for the second (July) award round.*
9. *Institutions that receive FPLE scholarship funds that show a decrease in African-American or Hispanic enrollment over three consecutive years will lose their guaranteed seats.*
10. *Institutions that show an increase in African-American or Hispanic law school enrollment over three consecutive years should be eligible for incentives as determined by the FPLE Board of Advisors.*
11. *FPLE pre-law recipients should be selected from among rising sophomores, juniors, and seniors. Beginning with the 2000-2001 academic year, the pre-law scholarship program should be reconfigured to provide recipients with funds to cover 1) tuition and fees based on a systemwide SUS average, and 2) LSAT Preparation Course tuition. The remaining funds allocated to the program should be used to conduct an intensive*

- four-week pre-law summer program for pre-law scholarship recipients who are rising sophomores or juniors. The summer program should be designed to convey to students the rigors of law study; advise them on an appropriate undergraduate curriculum; expose them to the advantages of and possibilities for a legal career; provide daily classes in appropriate subjects such as legal analysis, writing and argument; expose students to actual courtroom proceedings; and, provide opportunities to meet members of the legal community. Each accredited law school in the state should be eligible to receive funding for a summer institute by submitting a proposal to the FPLE Board of Advisors for consideration. Only one summer institute at one institution per year may be funded. Each pre-law scholarship recipient must attend one summer institute before enrolling in law school.*
12. *The Board of Regents should establish a pre-law scholarship, mentorship, and internship program at Florida Agricultural and Mechanical University and Florida International University for college juniors and seniors with the goal of increasing the number of traditionally underrepresented students in the state's public and private law schools. Such programs should be developed with input from the Chancellor's Legal Education Advisory Council. Continued state funding for the two programs should be contingent upon successful outcomes as determined by the Council.*
13. *All Florida law schools should be strongly encouraged to develop Summer Conditional Programs for students who have not met their admissions standards but who possess the aptitude for legal study. The Legislature should provide up to five matching scholarships to accredited law schools in Florida that provide full-tuition scholarships to students who successfully complete a Summer Conditional Program and enroll in law school. Such students must agree to sit for the Florida Bar and practice law in Florida for a minimum of three years.*

Proviso language accompanying Specific Appropriation 171 through 176 in the 1999 General Appropriations Act directed the Postsecondary Education Planning Commission to:

Review the Minority Participation in Legal Education (MPLE) Program and submit a report and recommendations to the Legislature and the State Board of Education by December 31, 1999. At a minimum, the study shall address the following: (1) a review of the statutes and rules governing the program, including the scholarship selection and allocation process; (2) a determination of the most appropriate entity to administer the program and appropriate levels of administrative costs for the program; (3) a process which ensures that law schools do not use MPLE scholarships to supplant scholarships which were in place prior to the creation of the MPLE program, and that scholarships are being used to expand the pool of minority students who are attending law schools; (4) membership requirements of the MPLE Board of Directors; (5) the creation of a scholarship matching grant program; (6) program and management performance output and outcome measures; (7) mentoring internships; and (8) recruitment activities.

As part of its analysis of the MPLE , Commission staff collected data on the MPLE's administrative structure, financial records, selection and awards process, programmatic activities and services, and legal viability. All previous reports and reviews of the MPLE were analyzed and, when possible, compared to similar programs and initiatives in other states. A "satisfaction" survey of MPLE recipients was undertaken and the results are included in the study narrative. An outcomes analysis of recipients of the law and pre-law components is included as well as input from the six accredited law schools in Florida.

This study contains an issues section, a summary and recommendations section, and an appendices to support study findings and recommendations. The Commission Chairman assigned this study of the MPLE program to the Access Committee chaired by Mrs. Elaine Vasquez. Other members were Melissa Tapanes, Edward Dauer, Akshay Desai, and Maria Shelton. The Committee held a series of public meetings between August and December 1999 which included testimony from educational, legislative and legal profession spokespersons. The Commission approved this study at its December 3, 1999 meeting.

INTRODUCTION

Legislative Charge

ISSUES

Background

Minorities are significantly underrepresented nationwide in the legal profession.

Compared to their numbers in the general population, minorities are significantly underrepresented nationwide at all levels of the legal profession. African-Americans and Hispanics account for only six percent of the lawyers and judges in the United States. In Florida, approximately eight percent of attorneys are African-American or Hispanic*; seven percent of the judges in the state are minority. According to the Florida Supreme Court Racial and Ethnic Bias Study Commission (1991), minorities are significantly under-represented in Florida's large law firms, particularly those not located in the Miami area. African-American attorneys represent less than 1.6 percent of attorneys in large firms both inside and outside the Miami area. The Study Commission concluded that the lack of a strong minority presence in the legal profession negatively effected the equal dispensation of justice in Florida and recommended that law schools develop specific plans to attain greater minority representation. Five years later, the Florida Legislature created The Minority Participation in Legal Education Program (MPLE) (Section 240.498 (8), F.S.) to address continuing concerns that minorities, particularly African-Americans, were not adequately represented in the state's legal profession [Appendix A]. The MPLE was developed by the Board of Regents (BOR) with input and support from the Postsecondary Education Planning Commission, the Florida Bar, and the Independent Colleges and Universities of Florida (ICUF). According to a Commission survey of comparison states and data collected from the American Bar Association, the two-part scholarship program appears to be unique to Florida.

The purposes of the MPLE are to enhance the preparation of minority students for law school, increase the number of minority students who are enrolled in the state's accredited law schools who pass the state Bar Exam, and who practice law in Florida. Each year the Board of Regents (BOR) enters into a contract with the Florida Education Fund (FEF) to administer both components of the MPLE, the pre-law and law scholarship programs. The FEF Board of Directors, established in statute and comprised of appointed representatives from the state's education and business communities, is charged with monitoring, reviewing, and evaluating the five programs (the MPLE, the McKnight Doctoral Fellowship Program, the McKnight Junior Faculty Fellowship Program, Centers of Excellence, and Museum of African-American Art) under its auspices. The Board was initially created to focus on African-American Ph.D. enrollment, not on increasing the number of minority law students. The MPLE does not have a separate non-partisan advisory board comprised of members from the legal profession. The FEF has not adopted rules for the governance or operation of the MPLE, but has developed policies that serve to "provide clarification on issues that have arisen since the program's inception" [Appendix B].

* Based on self-reported data provided to the Florida Bar Association.

Currently, the FEF employs a vice-president to administer the MPLE program with assistance from other FEF staff, including the Chief Executive Officer. FEF headquarters are located in Tampa, while the MPLE program office (with one full-time and two part-time employees) is located in Miami. In 1998, occupancy cost for the MPLE program in Miami was \$22,836 and \$77,770 for the FEF headquarters in Tampa. According to the FEF, the decision to locate the MPLE office in Miami was made due to a number of reasons including the locale. Three of the six MPLE participating law schools are in Dade and Broward counties, while most of Florida's minority population resides in Dade, Broward, and Palm Beach counties. Of the 400 law scholarship recipients to date, 188 (47%) are from those three counties. Consequently, it was determined that participant access to the MPLE office would be increased and travel expenses to participating schools and required meetings would be reduced by locating the office in South Florida. In addition, after a statewide search, the person hired to head the MPLE Program lived in South Florida. According to FEF expenditure reports, it would not be cost effective to move the Miami office to Tampa, as additional rental space would be at a higher cost than is currently incurred in Miami. Some savings in equipment rental and office supplies would be offset by the increase in rent in Tampa.

The MPLE is the largest program administered by the FEF, comprising approximately 70 percent of that entity's operating budget. Since 1994, the FEF has received \$19.9 million in state funds to support the MPLE Program. The vast majority of funds annually allocated to the MPLE (75%) are used to fund law scholarships, approximately 21 percent are used to fund pre-law scholarships, and 3.5 percent are used to fund administrative costs. These percentage breakdowns are determined by the Legislature. A brief review of administrative cost allowances for various contracts in Florida reveal that there is considerable variation depending on the source(s) of funds, i.e., federal, state, or private dollars. According to the Department of Education, school districts in Florida charge anywhere from one to five percent overhead to administer contracts, while state agencies are prohibited from charging in excess of five percent when contracting with one another for services. On the other hand, university centers that receive federal contracts may charge administrative overhead of up to 47 percent of the total contract value. According to the Florida Institute of Government, state funded contracts with university centers and institutes are typically limited to administrative costs of "no more than ten percent." Ansley Abraham, of the Southern Regional Education Board, noted that administrative costs of up to 20 percent are typical for privately administered scholarship programs like the MPLE. After reviewing data submitted by the MPLE, Commission staff determined that 3.6 percent overhead was at the very low end of allowable administrative costs and does not adequately support the program activities. In recent years, the MPLE and the Board of Regents

Program Administration

The MPLE is the largest program administered by the Florida Education Fund.

have requested additional state dollars to more adequately fund administrative costs (salary and all other administrative expenditures) but those requests have not been approved by the Legislature.

The MPLE awarded 87 pre-law scholarships in 1999-2000.

An independent audit of the MPLE program in 1998 revealed that over a four year period almost \$1.9 million in state funds had not been expended on pre-law scholarships. The majority of these unspent funds accumulated because initially the FEF elected not to award pre-law scholarships to freshmen and sophomores. This decision was based on trends that indicate that lower level students frequently change their minds about career decisions. Furthermore, pre-law scholarship recipients must repay scholarship funds if they elect not to attend law school in Florida. Consequently, the MPLE never awarded the maximum number (34) of pre-law scholarships that were funded each year. These deferred revenues (unspent funds) were invested with other FEF endowment funds. The 1999 Legislature mandated that all funds previously allocated to the MPLE and not spent on the program (\$2.6 million total) be dispensed before newly allocated funds (\$2.3 million) could be used. For the 1999-2000 year, the MPLE awarded 87 pre-law scholarships to 13 freshmen, 11 sophomores, 31 juniors, and 26 seniors, a threefold increase over previous years.

Law Scholarship Component

Currently six accredited law schools in Florida are eligible to participate in the MPLE law scholarship component. Those schools are: The University of Florida, Florida State University, The University of Miami, Nova Southeastern University, Stetson University, and St. Thomas University. Florida Coastal School of Law, which received American Bar Association (ABA) accreditation in 1999, will be eligible to participate in the MPLE in 2000-2001. In addition, Barry University at Orlando Law School is eligible for ABA accreditation in Spring 2000. Both of those institutions have substantial minority populations.

MPLE recipients who attend one of the state's two public law schools receive \$4,651 per year for tuition and an \$11,000 stipend. According to the ABA, the entire 1998-99 cost of attendance for law school was \$15,000 at the University of Florida and \$18,750 at Florida State University. Private law school students receive \$10,075 per year for tuition and an \$11,000 stipend. Average private law school tuition in Florida is \$21,000. Consequently, the MPLE provides approximately half of tuition at private law schools. Thus, MPLE students admitted to both public and independent schools have a strong economic incentive to select the public institution. In addition, the disparity in MPLE funding might reduce the number of minority students private schools can assist financially because it causes schools to use some of their scholarship monies to pay the remaining tuition for MPLE recipients. Private law schools note that the state already subsidizes every resident law student attending one of

Florida's public law schools, thereby increasing the cost for each MPLE student attending a publicly supported school. According to the Board of Regents, the annual cost incurred for each law student taking 30 semester credit hours (after tuition is subtracted) is \$6,598. For an MPLE recipient at a public law school, the state's contribution would be well in excess of the \$21,075 allocated to students attending a private institution. According to a 1999 Senate Budget Committee analysis, the state spent on average, \$56,000 for each attorney (practicing in Florida) produced from the MPLE class of 1995-96.

The state spends approximately \$56,000 for each MPLE recipient who practices law in Florida.

When MPLE awards do not meet a scholar's total financial needs, law schools may provide additional funding over and above the scholarship amount. According to FEF policies, "in all cases where it is necessary to provide supplementary funding to an MPLE Scholar, a request for approval, accompanied by the appropriate justification, should be forwarded to the MPLE Office. Once approved, the law school is then free to award (other funds) as it deems necessary." According to MPLE law scholarship policies, no recipient may receive combined funding in excess of his or her need as determined by the law school's financial aid office. Annual renewal of the MPLE scholarship is contingent upon a scholar's satisfactory performance and normal progress toward the J.D. degree. Each institution may have additional requirements as well. MPLE recipients must be full-time students who are also (since 1996-97) Florida residents. According to the results of a Commission survey sent to MPLE law scholarship recipients from 1994-95 through 1998-99 [Appendix C], fifty-seven percent of scholarship recipients reported receiving other scholarships, grants, and/or loans while attending law school.

The purpose of the MPLE, to "increase by 200 (over a three-year period) the number of minority students enrolled in the state's law schools" has not been met. However, as of 1998-99, the MPLE had achieved over 90 percent of the original legislative goal. As of that year, the overall number of minority law students (1,256) had increased by 181. Minorities comprised 27 percent of law school enrollment that year. The MPLE is not the only scholarship program designed to increase the number of minority law students in Florida. The Virgil Hawkins Scholarship Program was created by the Legislature in 1988 to increase African-American student enrollment in the two SUS colleges of law. The program annually provides 60 scholarships to be divided evenly between the University of Florida and Florida State University schools of law. Recipients will receive \$17,780 each for the year 1999-2000. For the last eight years, the Florida Bar Foundation, through its Law Student Assistance IOTA (Interest on Trust Accounts) Program, has provided each of the six accredited law schools with six scholarships to award to students with outstanding academic achievement and demonstrated economic need. The purpose of the program is to encourage diversity in Florida law schools; the majority of the recipients are minorities. Each student who receives an IOTA scholarship is assigned a mentor who,

along with providing encouragement and academic support, helps to bridge the gap between law school and the profession. During 1998-99, 36 students received Florida Bar Foundation Scholarships. These scholarships may be discontinued, however, because of a shortage of funds. The Bar Foundation will continue to provide a small grant to the MPLE Program (\$20,000-\$25,000 annually) to help defray the costs of providing bar review courses. To help increase the number of minority attorneys in Florida, the Florida Bar's Equal Opportunities in the Profession Section is exploring, with local law firms, the possibility of providing private law scholarships, internships, mentorships, and positions to qualified minority students.

While it is clear that there has not been a one-to-one increase in the number of law scholarships awarded (400 including those for 1999-2000) and minority law enrollment, two recent independent reviews of the MPLE (one conducted by MGT of America and the other by the National Center for Higher Education Management Systems) attest that the program has had a positive effect on increasing the number of minorities receiving law education in Florida, particularly when compared to other states. For instance, in 1996-1997 among comparison states (Florida, California, the District of Columbia, Illinois, New Jersey, New York, North Carolina, Texas, and Virginia), Florida had the highest percentage of enrolled minority law students. Only the District of Columbia (22.3%) and Texas (21.0%) came close to matching Florida's combined black and Hispanic law school enrollment (23.4%). In 1995-96, Florida ranked third among comparison states for the number of law degrees awarded to minorities.

The number of minority law school applicants in Florida has substantially increased over the last decade.

Although the number of minority law school applicants in Florida has substantially increased (by 32%) between 1990-91 and 1997-98, three Florida law schools reported a decrease in total minority applications (particularly among African-Americans) from 1996-97 to 1997-98, and all but one university had a decrease among African-American applicants that year. The latest law school applicant data (for academic year 1998-99) reveals that only 39 percent of "target" applicants (African-American and Hispanics) were accepted into one of the state's law schools. The number of African-American applicants in 1997-98 increased by 10 percent over the previous year. African-Americans were 13 percent of all applicants (a one percent increase) in 1997-98; they remained at eight percent of all first-year students accepted into law school and increased to ten percent as a percentage of total first-year enrollees. The number of Hispanic applicants decreased by five percent from 1996-97 to 1997-98. However, as a percentage of total enrollments, they increased from 15 to 16 percent. As illustrated in Table 1, Hispanic and African-Americans remained at 21 percent of first-year students accepted into one of Florida's six accredited law schools for the 1998-99 academic year.

TABLE 1

STATE OF FLORIDA
ABA-APPROVED LAW SCHOOL APPLICANT VOLUMES, 1997-98*

Total Applicants		Total Minority Applicants		African-American Applicants		Hispanic Applicants		Native American Applicants	
11,257		3,599 (32%)		1,322 (12%)		1,621 (14%)		72 (.6%)	
Total Accepted	Total Enrolled	Total Accepted	Total Enrolled	Total Accepted	Total Enrolled	Total Accepted	Total Enrolled	Total Accepted	Total Enrolled
5,385	1,850	1,431 (27%)	517 (28%)	444 (8%)	168 (9%)	695 (13%)	270 (15%)	43 (.8%)	12 (.7%)

Source: MPLE and SUS institutions

* For school year 1998-99

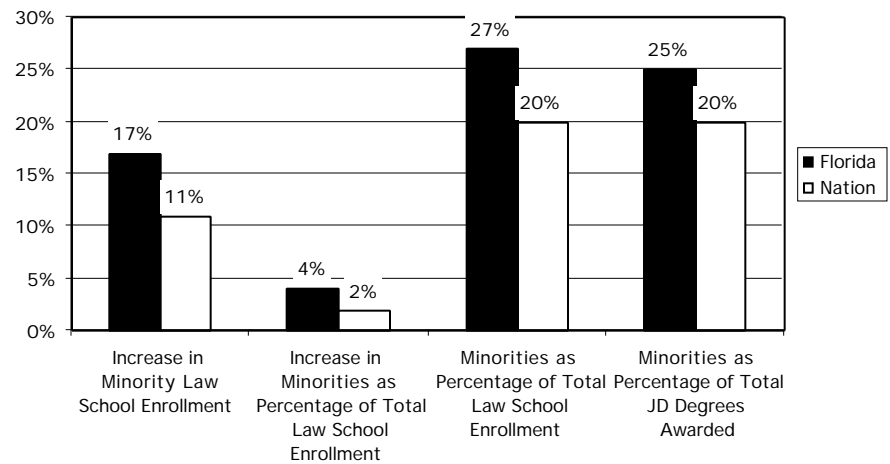
Application and enrollment data vary among institutions in Florida. In 1998-99 year, African-American enrollment decreased slightly at FSU, Nova Southeastern, and significantly at the University of Miami. African-American enrollment increased by 62 percent at St. Thomas and Stetson and by 22 percent at the University of Florida. UF enrolled the largest number of first year African-American law students (45) in the state. There does not appear to be a direct correlation between the number of students accepted and those that enroll. For instance, at the University of Miami, where the number of African-Americans who were accepted and who enrolled dropped significantly between 1998 and 1999, the ratio of enrollment to acceptance actually increased from 26 percent in 1998 to 37 percent in 1999. At the University of Florida where the number of African-Americans who were accepted declined in 1999, the number of students enrolling increased over the previous year. The same was true at Stetson University [Appendix D). Clearly, law schools must continue to compete for students even after students have been accepted into their institutions.

Minority enrollment in Florida law schools has increased by 17 percent since 1993-94 (the year before the MPLE was implemented). Nationwide, minority law school enrollment increased eleven percent during that time period. As a percentage of total law school enrollment, minorities in Florida law schools have increased their representation by four percent over the last five years; nationwide minorities increased by two percent as a percentage of total enrollment. In 1998-99, 27 percent of all law students in Florida were minorities, while nationwide that percentage was twenty percent. Nationwide in 1998, minorities were 20 percent of all J.D. degrees awarded. In Florida, minorities comprised 25 percent of law degree recipients [Table 2].

Minorities were twenty-seven percent of all law students in Florida in 1998-99.

TABLE 2

**MINORITY LAW SCHOOL PROGRESSION
1993-94 TO 1998-99**



Source: American Bar Association/MPLE

The largest increase among minority law students has been among Hispanic students.

While black applicants have received over two-thirds of MPLE awards since the program's inception, the largest increase among minority law students has been among Hispanic students. As noted in Table 3, the number of African-Americans enrolled in Florida law schools has actually declined 17 percent, from 497 students in 1993-94 to 426 students in 1998-99. Nationwide, African-American enrollment has increased slightly (less than one percent) since 1993-94. Total Hispanic law school enrollment in Florida has increased 42 percent, from 471 students in 1993-94 to 670 students in 1998-99. Nationwide, Hispanic enrollment has increased by 12 percent during that time period. In 1998-99, 198 (16%) of minority students enrolled in Florida's full-time day programs (1,256) were MPLE recipients.

TABLE 3

**MINORITY ENROLLMENT AND MPLE RECIPIENTS, 1993-94
THROUGH 1998-99**

YEAR	TOTAL ENROLL L.S.	Total African-American		Total Hispanic		Total Native American		Total Minority	
		Enrollment (a)	MPLE Recip. (b)	Enrollment (a)	MPLE Recip. (b)	Enrollment (a)	MPLE Recip. (b)	Enrollment (a)	MPLE Recip. (b)
1993-94	4,796	497 (10.4%)	n/a	471 (9.8%)	n/a	15 (.3%)	n/a	1,075 (22.4%)	n/a
1994-95	4,947	562 (11.4%)	38 (7%)	504 (10.2%)	20 (4%)	18 (.4%)	2 (11%)	1,178 (23.8%)	60 (5%)
1995-96	4,958	559 (11.3%)	80 (14%)	557 (11.2%)	44 (8%)	32 (.7%)	5 (16%)	1,253 (25.3%)	129 (10%)
1996-97	5,024	527 (10.5%)	125 (24%)	610 (12.1%)	68 (11%)	27 (.5%)	4 (15%)	1,294 (25.8%)	197 (15%)
1997-98	4,814	455 (9.5%)	128 (28%)	616 (12.8%)	68 (11%)	32 (.7%)	3 (9%)	1,179 (24.5%)	199 (17%)
1998-99	4,693	426 (9.1%)	134 (32%)	670 (14.3%)	63 (9%)	29 (.6%)	1 (3%)	1,256 (26.8%)	198 (16%)

Source: MPLE

(a) Percent of total enrollment

(b) Percent of racial/ethnic category enrollment.

Information about the MPLE scholarship program is maintained on the FEF web site (www.fl-edu-fd.org). As part of the recruitment process, MPLE staff send information and application distribution to the following: all participating Florida law schools; 20 Florida four-year colleges and universities; nine Florida community colleges; Florida's Independent College Fund; 146 Florida high schools with law magnet or mock trial programs, and to 48 major churches. MPLE information is published in the campus newspapers of Bethune-Cookman College, Florida A&M University, Florida International University, Florida State University, University of Florida, University of Miami, and the University of South Florida. Recruitment fairs and/or informational meetings are held at each of the state universities, two independent colleges, one Historically Black College, and six community colleges. According to the results of the Commission's survey, the majority of recipients heard about the MPLE from their law school advisor or at a law school admissions fair or forum. The FEF has requested an increase in administrative costs to expand their recruitment activities.

Scholarship recipients are selected by the MPLE Review Committee comprised of representatives from the Florida Bar Section on Equal Opportunities in the Profession, the National Bar Association-Florida Chapter, each of the Florida law schools, and a representative from the FEF. FEF staff first reviews and assigns a numeric rating to each applicant file. The rating is based on the applicant's undergraduate grade point average, sources of income, Law School Admission Test score, personal statement, and letter of recommendation. In addition to the numeric ranking, members of the selection committee consider other factors when making the awards including the mix of race and ethnicity, applicants' undergraduate school, and choice of law school. Out of 456 applicants for 1999-2000, approximately sixty-two percent were accepted into law school and eligible for an MPLE award. From those applicants, the FEF awarded 69 (one out of four) law scholarships. Thirty-eight percent of MPLE applicants each year fail to meet Florida's law schools' admission standards. MPLE staff and several members of the selection committee favor opening up the applicant pool to out-of-state residents to increase the number of qualified applicants and enrollees. They contend that the majority of out-of-state recipients from the first two years of the program (when out-of-state applicants were eligible) have stayed in Florida to practice law, thus adding to the state's pool of minority attorneys. Because of the fierce competition for minority law students, the ability to attract out-of-state students compensates somewhat for the loss of top in-state minority students recruited by out-of-state schools. According to MPLE records, of the 19 out-of-state recipients, 11 are practicing law in Florida, six are retaking the Florida Bar Examination, one is seeking employment in Florida, and one was academically dismissed from law school. According to several law deans, the MPLE was a very effective, competitive recruitment tool for highly qualified out-of-state minority law students who will remain and practice law in Florida.

Selection Process

Thirty-eight percent of MPLE applicants each year fail to meet Florida's law schools' admission standards.

The fact that 38 percent of MPLE applicants fail to meet law school admissions standards suggests that increased academic preparation at the high school and undergraduate levels are necessary components of a law scholarship program. Summer programs that provide “conditionally” accepted students (those with lower than average GPAs and LSATs) with intense academic preparation before entering law school have provided encouraging results.

TABLE 4

**MPLE LAW APPLICATIONS
ELIGIBLE APPLICANTS/AWARDEES BY RACIAL/ETHNIC
IDENTITY**

Year	Applications Received	African American Applicants	Hispanic Applicants	Native American Applicants	Other Applicants	Total Scholarships Awarded
1994-95	352	191 (54%)	140 (40%)	3 (1%)	18 (5%)	60 (17%)
1995-96	224	106 (47%)	99 (44%)	5 (2%)	14 (6%)	70 (31%)
1996-97	172	70 (41%)	90 (52%)	0	12 (7%)	70 (41%)
1997-98	313	135 (43%)	155 (50%)	3 (1%)	20 (6%)	64 (20%)
1998-99	388	184 (47%)	174 (45%)	7 (2%)	23 (6%)	67 (17%)
1999-2000	456	223 (49%)	190 (42%)	6 (1%)	37 (8%)	69 (15%)

Increased academic preparation at the high school and undergraduate levels are necessary components of a law scholarship program.

Source: MPLE

Critics of the MPLE’s selection process maintain that many MPLE recipients are the same students who are already heavily recruited by Florida law schools seeking to increase their minority enrollment. These top students may receive MPLE funds as well as additional scholarship or grant funds, while other applicants, who are not eligible for other support or who are not ranked as high by the institutions, may not be able to attend law school because of lack of financial support. This practice may be one reason that the number of minority law school students has not increased by 200. While 58 percent of respondents to the Commission’s survey reported that they would not have attended law school in Florida without the MPLE award, institutional data compiled by the MPLE reveals that, of the 171 1998-99 MPLE applicants who were accepted to law school but did not receive an MPLE award, 125 (73 percent) are currently enrolled in a Florida law school. Of the 216 1999-2000 MPLE applicants who were accepted to law school but did not receive an MPLE award, 133 (62%) are currently enrolled in a Florida law school.

Beginning in 1998-99, the MPLE reinstated a second, later round of awards (approximately 25 awards are held for distribution in July) to allow applicants who were not accepted into law school by the time the

first MPLE scholarships were awarded to compete for those awards. In the initial round of awards in April, MPLE scholarships are awarded to those highest rated students who have been accepted to law school. In July awards are made to those students who have since been accepted to law school and/or to students who were not selected in the first round. Of the 67 students who received MPLE awards in 1998-99, twelve or almost 20 percent, were accepted to law school after the initial awards were made in April. After implementing the second acceptance round, target minority enrollment increased slightly, but African-American enrollment decreased again by four percent. Another reason for reinstating the second round was to allow for a greater distribution of law awards among the six eligible institutions. According to the MPLE, the majority of MPLE applicants chose either the University of Florida, Florida State University, or the University of Miami as their first choice of law schools. In 1997-98, 84 percent of MPLE recipients enrolled in one of these three institutions. In 1998-99, after the second acceptance round was reinstated, 79 percent of recipients enrolled at those law schools.

The MPLE has reinstated a second round of awards to broaden the selection process.

In 1998, MPLE staff submitted a proposal to the law schools that would have allowed only those schools that had increased or maintained enrollment in all three targeted minority groups (over the previous year) to participate in the program. MPLE recipients would have been prohibited from using their awards at any school that had decreased minority enrollment. At that time, however, only Stetson University did not have a decrease in the percentage level of enrollment in any of the three priority minority categories. However, Stetson's total percentage level of minority enrollment was lower than that of the other law schools. The law deans opposed such a system, noting that it would penalize them unfairly for factors that they could not control such as decreased applications among some minority groups and greater competition among schools nationwide for top candidates. The MPLE withdrew that proposal and, at the suggestion of the law deans, decided to reinstate the second round awards and to revise how to calculate the rating score to emphasize the grades of MPLE applicants over their LSAT exam score.

There is also support among several law deans and MPLE staff for extending the scholarship awards to part-time students, many of whom are minorities with family obligations. For instance, Nova Southeastern University enrolled 169 part-time law students in 1998-99, of whom 29 percent were minorities. Forty percent of the University of Miami's 197 part-time law students were minorities in 1998-99, while Florida Coastal enrolled 261 part-time students of whom 26 percent were minorities. Data from those institutions reveal that part-time students generally graduate in four to six years.

MPLE staff continue to meet with the deans of the state's law school at their annual meetings and during site visits to address the concerns of decreased minority enrollment among African-Americans. Each law

Each law school in Florida has developed programs and services to help recruit and graduate minority students.

school in Florida has developed programs and services to help recruit, enroll, retain, graduate, and place minority students. Several are unusually innovative. For the last fourteen years, the University of Florida College of Law has sponsored the Virgil Hawkins Summer Program (VHSP). The VHSP offers all African-American and Hispanic students an intensive four-week learning program that introduces students to the techniques and underlying concepts of the study of law, assists them in developing vital legal analysis, examination taking and legal writing skills. Students also receive a stipend. The entire cost of the Virgil Hawkins Summer Program is paid for by the law school. Ninety four percent of former participants are still enrolled or have graduated from law school.

Since 1992, the Florida State University College of Law has funded a month long program designed to increase the pool of minority and disadvantaged students qualified to pursue careers in the legal profession. The Summer Law Program for Minority and Disadvantaged Undergraduate Students targets 24 students who have completed their freshman or sophomore years at public and private institutions in Florida and other states. The program actively recruits students from Historically Black Colleges and Universities (HBCUs). The Summer Law Program is closely modeled after the first-year law school curriculum and includes daily classes taught by an FSU law professor and a legal writing instructor. The students are introduced to legal analysis, oral arguments, and related activities. Participants visit law firm offices and observe actual proceedings at the Florida Supreme Court. Six participants from the first summer program have graduated from the FSU College of Law. Forty-six percent of the 103 Summer Law participants who have graduated from college have applied to law school. Since 1979, Nova Southeastern University's School of Law has conducted a Summer Conditional Program for students who were admitted to the law school despite having relatively low LSAT scores. In 1999, summer conditional students had an average LSAT score of 140.5, well below the state average. Nevertheless, data submitted from Nova Southeastern Law Center reveals that over 90 percent of successful Summer Conditional students who begin studies at the Law Center succeed in law school.

Despite efforts by individual law schools, the Legislature, the BOR, and the MPLE, minorities, particularly African-Americans, have not entered the legal profession in numbers approaching their numbers in the general population. Currently, African-Americans and Hispanic comprise 29 percent of Florida's population yet are only eight percent of the state's practicing attorneys. The percentage of faculty at the state's accredited law schools who are minority varies, but except for one institution, is not commensurate with the number of minorities in the general population [Table 5].

TABLE 5

FULL-TIME FACULTY AT FLORIDA LAW SCHOOLS

	Total	Men	Women	Minorities
FSU	29	18	11	5 (17%)
UF	38	27	11	7 (18%)
UM	46	36	10	7 (15%)
Stetson	32	22	10	4 (13%)
Nova Southeastern	46	29	17	8 (17%)
St. Thomas	16	11	5	5 (31%)

* Fall 1998

Source: ABA Guide to Approved Law Schools

There is a growing consensus that the goal of diversifying the state’s legal profession will not be achieved without the active support of the state’s most influential political leaders and the active cooperation and commitment of Florida’s business, education, and legal communities.

In February 1999, the MPLE conducted a survey of employers in Florida to determine the extent by which respondents acknowledged an overall under-representation of minorities in their organizations and the legal profession in general throughout the State. Equally important was ascertaining their willingness to use paid internships as a means of early identification and training of future attorneys, especially for pre-law and law students in their first and second years. A final area of focus was to determine the respondent receptivity to engaging the assistance of an outside source in supplying qualified candidates to fill internship options. The survey revealed that almost two-thirds of respondents reported having less than 20 percent of their staff attorneys from minority backgrounds. Eighty-five percent of respondents agreed that “minorities are under-represented in the legal profession.” Additionally, 70 percent of respondents indicated that they needed assistance in consistently identifying, attracting and retaining minority talent. Almost all respondents (91 percent) responded yes to the statement “I believe law clerk positions and/or paid internships are viable means of identifying and attracting talented young attorneys.” Eighty percent of the respondents indicated that they would support hiring one or more talented minority students to serve as legal interns. However, two-thirds of recipients indicated that they would not pay a finder’s fee for securing legal interns.

Support from state leaders is needed to diversify Florida’s legal profession.

The initial legislation creating the MPLE directed the program to provide “financial, academic and other support to [selected] students.” Accordingly, the MPLE offers a variety of academic student services. These services include a beginning law scholar’s orientation, first year campus meetings, law scholarship annual meeting, resume directory, bar passage support (with matching grant from BARBRI, a bar review course provider), and supplemental bar preparation clinics. Appropriate services

Student Services/ Administration

are provided to pre-law scholars as well. According to the results of the Commission's survey, 72 percent of MPLE recipients received support programs or services provided by the MPLE that helped them "succeed in law school and in their legal careers." There was support among respondents for additional services such as mentorships, help in securing internships, clerkships, and in finding employment as attorneys.

From 1994-1995 until 1998-99 (when it began to receive some funding for academic support services), the MPLE provided these services to scholars despite the fact that the appropriation did not provide funding for these types of expenditures. At the same time, however, during the first two years of the contract, the FEF did not spend all of the funds allocated for administrative costs at the MPLE office in Miami. According to FEF's calculations (that combine administrative and academic support costs), the MPLE incurred \$174,327 in unreimbursed costs over that five-year period. Funds to pay for these unreimbursed services came from FEF investment earnings. In addition, according to the FEF's estimates, an additional \$806,726 of unreimbursed FEF overhead (administrative costs) attributable to the Tampa office has been assigned to the MPLE. However, the legislative appropriation and the BOR contract have always clearly identified the level of funding for administrative support.

Outcomes

Data reveal successful outcomes for the first three classes of MPLE recipients.

The ultimate purpose of the MPLE is to increase the number of minority attorneys practicing in Florida. Consequently, MPLE recipients must agree to sit for the Florida Bar exam and, upon successful admission to the Florida Bar, practice law in the state for up to the period of time equal to the amount of time which the student received aid (up to three years), or repay the amount of aid received. Data reveal successful outcomes for the first three classes of MPLE law scholarship recipients. For instance, 97 percent of the 200 recipients in the law classes from 1994-95, 1995-96, and 1996-97 have received their JD degree. Eighty-five percent of the first two law classes have passed the Florida Bar exam. The Florida Board of Bar Examiners reported that 80 percent of all first-time-test-takers passed the Bar in 1999. The last study of racial group passage rates for the Florida Bar Examination, conducted in 1991, revealed that 39 percent of African-American candidates passed the examination in February 1991 and 46 percent of African-American candidates passed in July 1991.

TABLE 6

MPLE LAW SCHOLARSHIP RECIPIENT PROGRESS

	Beginning 1994-95	Beginning 1995-96	Beginning 1996-97	Total
Total Recipients	60	70	70	200
Graduated from Law School	58 (97%)	68 (97%)	67 (96%)	193 (97%)
Took Florida Bar Exam to Date	55	68	NA	123 (98%)
Passed to date	49 (89%)	55 (81%)	NA	104 (85%)*
Failed to date and are retaking	6 (11%)	13 (19%)	NA	19 (15%)
Practicing Law in FL to date	47 (85%)	43 (63%)	NA	90 (73%)

Source: MPLE

*The only study of racial group passage rates for the Florida Bar Examination conducted in 1991 reveals that 39% of African-American candidates passed the Examination in February 1991 and 46% of African-American candidates passed in July 1991. (Source: Report of Florida’s Supreme Court Racial and Ethnic Bias Study Commission, Dec. 11, 1991)

Despite the successful outcomes of MPLE recipients, there continues to be support for establishing one or more new law schools in the state as a means to increase the number of minority lawyers in the state. Proponents for one or more new law schools point to the failure of the MPLE to increase by 200 the number of minority students enrolled in the state’s existing law schools and the low percentage of practicing minority attorneys in Florida (estimated at two-three percent African-American and six percent Hispanic). In 1991 and again in July 1999, the Board of Regents rejected proposals to establish additional law schools as neither the most cost effective or appropriate means to increase minority enrollment. Instead, the BOR recommended a plan to increase the number of minority law students that includes establishing 1) a new program of pre-law scholarships, mentorships, and internships for college juniors and seniors at both public and private institutions which increases minority law school application by at least 100% over the next decade; 2) a law school outreach, recruitment, and fellowship program which increases minority law school enrollments by at least 100% over the next decade; 3) a plan which designates FAMU and FIU as the lead universities in the pre-law scholarship program which affords each an opportunity to demonstrate its capability to increase minority applications and admission to law school; 4) a legal education advisory council to assist in these efforts consisting of representatives of the State University System, the accredited independent colleges and university law schools, the Florida Bar Association, the Office of the Attorney General, and the Executive Office of the Governor. The Legal Education Advisory Council will make recommendations regarding the new fellowships and scholarship programs as well as recommendations regarding the funds administered by the FEF. In the meantime, the BOR is requesting \$5.3 million as part of its 2000-2001 budget for “Minority Legal Education.” This amount

There continues to be support for establishing one or more new law schools in the state.

is more than the BOR has generally requested (approximately \$4.9 million) for the MPLE as part of its legislative appropriation request. The BOR has not made a separate request for MPLE funds.

Pre-Law Program

The purpose of the pre-law program is to encourage and prepare minority students to attend law school.

The MPLE is comprised of two components, the law scholarship program and the pre-law program. The purpose of the pre-law program is to encourage and prepare minority students to attend and succeed in law school. Pre-law scholars may major in a variety of academic disciplines as there are no actual pre-law majors at the state's colleges and universities. To recruit potential law students, the MPLE sends applications and informational brochures to pre-law advisors and minority affairs offices at 20 colleges and universities in Florida. Eight Florida undergraduate schools including five SUS institutions, two independent universities, and one independent Historically Black College have been identified as minority feeder schools to Florida law schools. MPLE staff visits each of these eight campuses during law school recruitment fairs and student organization meetings. In addition, the MPLE sends scholarship information to minority students with a 3.0 or above grade point average at Florida A&M University, Florida State University, University of Florida, University of South Florida and the University of Miami. The MPLE also advertises the pre-law program in campus newspapers at select colleges and universities. Although the enabling legislation would allow the FEF to award pre-law scholarships to students in their freshman and sophomore years, the program was limited to juniors and seniors until 1998-99 when a small number of pre-law scholarships were awarded to college sophomores. For the 1999-2000 year, the MPLE awarded 87 scholarships to pre-law students. Pre-law scholars are selected on the bases of candidates' potential for success, merit, and need. The FEF staff assigns a numeric rating for each candidate based on the applicant's GPA, SAT, or ACT score, personal statement, and letter of recommendation. Awards are then made to those minorities with the highest ratings. The majority of pre-law recipients have attended public undergraduate institutions. For instance, in 1998-99, 75 percent of pre-law scholars attended a public institution, seventy eight percent attended a public institution in 1997-98.

Undergraduate students who are chosen as pre-law scholarship recipients receive \$8,212 per year for tuition, housing, books, supplies, and LSAT preparation. In addition, all MPLE pre-law scholars attend a two-day meeting conducted to assist recipients in preparing for future law school studies. The number of pre-law recipients for 1999-2000 has increased substantially, including a number of students with histories of performing poorly on standardized tests. These and other factors pertaining to the performance of historically disadvantaged students appear to necessitate expanding the length of the pre-law school services to provide more intensive, individualized academic preparation and counseling. Such a

reconfiguration of the pre-law program would include reducing the amount of support for tuition, room, board, books, and supplies to fund specific academic intervention strategies. According to the preliminary results of the Commission’s survey, only 16 percent of MPLE law scholarship recipients received a pre-law scholarship. However, 71 percent of pre-law scholars (62) have attended or are currently attending law school in Florida.

It is difficult to draw a direct correlation between the pre-law and law scholarship program. While the MPLE pre-law scholarship program may increase the number of students in the law school pipeline, it is clear that more rigorous academic support services are needed to prepare students to qualify for law school admissions and to succeed in law school and the legal profession. Limiting pre-law scholarship awards to Florida residents reduces the pool of qualified applicants (over one-third of MPLE Law Scholarship applicants are not accepted to law schools in Florida) while increasing the need for pre-law enhancement programs and activities to adequately prepare Florida residents for law schools. In addition to the academic services provided by the MPLE, public and private institutions, particularly those with substantial minority populations, are being called upon to provide other pre-law academic support programs to facilitate minority applications, increase law school acceptance rates, and promote successful outcomes.

It is difficult to draw a direct correlation between the pre-law and law scholarship program.

TABLE 7

MPLE PRE-LAW SCHOLARSHIP AWARDS TO DATE

Year	Applications Received	Scholarships Funded	Total Scholarship Recipients	New Scholarships Awarded	Cumulative Scholarships Awarded
1994-95	58	17	19	19	19
1995-96	38	34	28	17	36
1996-97	51	102	30	19	55
1997-98	59	136	30	23	78
1998-99	93	136	41	28	106
1999-2000	142	136	102	87	193

Source: MPLE

According to MPLE staff, the scholarship GPA requirement of 3.25 makes it a challenge to increase the number of pre-law applications because many students with that GPA do not want to bind themselves to attending a Florida law school and/or do not need additional scholarship funding. Like law scholarship recipients, students receiving the pre-law scholarship must be Florida residents and carry a full-time academic load. Student services are provided by the MPLE which include LSAT course preparation and a two day pre-law orientation meeting. The orientation focuses on preparing recipients for the LSAT and introducing them to law professors, law school admission officials, and current MPLE law

recipients. Pre-law scholars must commit to attending a Florida law school within two years of receiving the undergraduate degree. Any pre-law scholar who fails to honor this agreement must repay the State of Florida the amount of scholarship assistance received. Table 8 documents the progress of pre-law scholars as of August 1999.

TABLE 8

**MPLE PRE-LAW SCHOLARSHIP RECIPIENT PROGRESS/
PERFORMANCE**

Total Recipients	193
Currently in Undergraduate School	106 (55%)
Received Bachelor's Degrees	87 (45%)
Attended/Attending Florida Law Schools	62 (71%)
Planning to Attend Law School Within Required Time	12 (14%)
Attended/Attending Other Law Schools	4 (5%)*
Will Not Attend Law School	9 (10%)

Nine former pre-law scholars are in re-payment status.

Source: MPLE *Two of these students have agreed to practice law in Florida after law school.

To date, nine former pre-law scholars are in re-payment status because they elected not to attend law school after receiving an MPLE pre-law scholarship. Because of the necessity of scholarship recipients committing themselves to a law degree early in their undergraduate careers, critics contend that students should not be required to pay back the scholarship if they elect not to attend law school. Others note that it is the only way to assure that students will stay in Florida to practice law after the state's considerable investment.

SUMMARY

As of 1998-99, the MPLE achieved over 90 percent (an increase of 181 minority students) of the original legislative goal of increasing by 200 the number of minority law school students in Florida.

By 1998-99, the MPLE had awarded the maximum number of law scholarships (331) provided for in annual contracts with the BOR.

In 1998-99, approximately one in four qualified MPLE applicants received a law scholarship award.

Minorities comprised 27 percent of total law school enrollment in Florida in 1998-99, a four percent increase since 1993-94, the year before the MPLE was implemented.

Florida had the highest percentage of enrolled minority law students in 1996-97 among comparison states. The state ranked third among comparison states for the number of law degrees awarded to minorities. African-American enrollment in Florida law schools has declined by 17 percent since the year before the MPLE was implemented. Hispanic enrollment has increased by 42 percent.

Nationwide, African-American law school enrollment has increased by less than one percent while Hispanic enrollment has increased by 12 percent.

Over two-thirds of MPLE recipients are African-American.

The MPLE has reinstated a second round of law scholarship awards to provide opportunities for the greatest number of applicants and to more evenly divide awards among schools. Seventy-nine percent of MPLE recipients went to the two public law schools and the University of Miami in 1998-99.

Based on self-reported data, two percent of the state's attorneys are African-American while six percent are Hispanic.

Outcome data reveals that 97 percent of MPLE law scholarship recipients have graduated, 85 percent have passed the bar, and 73 percent are practicing in Florida.

Each law school in Florida has incorporated numerous programs to recruit, retain, graduate, and place minority students.

The MPLE provides a variety of academic student services for which it has not been fully funded. The FEF reports that the program has incurred \$174,327 in unfunded academic/administrative costs over a five-year period.

Authorized administrative costs are currently 3.6 percent of the entire \$4.9 million program appropriation.

The Board of Regents rejected proposals to establish additional law schools in Florida to increase minority enrollment and submitted a plan to offer minority pre-law and law scholarships and outreach activities.

Fifty-seven percent of MPLE survey respondents received other financial awards while in law school.

Seventy-two percent of MPLE survey respondents reported that MPLE student support services helped them succeed in law school and the legal profession.

Seventy-one percent of pre-law scholarship recipients have attended or are attending Florida law schools.

Of the 216 1999-2000 MPLE applicants who were accepted into law school but did not receive an MPLE award, 133 (62%) are currently enrolled in Florida law schools.

Seventy one percent of pre-law scholars have attended or are currently attending law school in Florida.

There is a need to improve the qualifications of minority law school applicants, particularly among African-Americans.

Evidence is inconclusive there is a direct correlation between the pre-law program and increases in law school enrollment.

- Recommendations**
1. *The name of the MPLE Program should be changed to the Full Participation in Legal Education Program (FPLE). The program shall award scholarships to students based on outstanding academic achievement and demonstrated economic need. The purpose of the program should be to continue and encourage diversity in Florida law schools, particularly among African-Americans, Hispanics and groups currently underrepresented in Florida's legal profession. Diversity may include, but shall not be limited to race, color, ethnicity, gender, socio-economic hardships, persons with disabilities, and non-traditional age students.*
 2. *The Florida Education Fund (FEF) should continue to administer the FPLE Program. A new FPLE Board of Advisors, comprised of members representing the legal profession, should be established. Section 240.498 (8) F.S. should be amended to read: The law school scholarship program of the Florida Education Fund is to be administered by the Board of Advisors of the Florida Education Fund for the purpose of increasing the number of students who are underrepresented in Florida's law schools, particularly African-Americans and Hispanics. The FPLE Board of Advisors shall be comprised of ten members who have demonstrated a commitment to increasing diversity in the legal profession. Members shall be appointed as follows: 1) One member from the Florida Supreme Court; 2) One member from the Florida Board of Bar Examiners; 3) One member from the National Bar Association, Florida Chapter; 4) One member from the Hispanic Bar Association, Florida Chapter; 5) One representative from a public law school selected by the Florida Board of Regents; 6) One representative from a private law school selected by the Independent Colleges and Universities of Florida; 7) two prominent public practicing attorneys selected by the Florida Bar's Equal Opportunities in the Profession Section; 8) One prominent private practicing attorney selected by the Florida Bar's Equal Opportunities in the Profession Section; and, 9) one sitting judge selected by the Florida Bar's Equal Opportunities in the Profession Section.*

3. *FPLE Scholarship awards should be made available to part-time law students. To be eligible recipients must take the minimum number of credit hours as set by the FPLE Board of Advisors. Funding shall be set on a proportional basis as established by the Board. All program requirements, including academic performance standards and post-graduation restrictions, should apply to part-time FPLE recipients.*
4. *Section 240.498 (8) (a) 1. F.S., should be amended as follows: The allowable administrative costs for the FPLE Program shall not exceed ten percent of total program costs.*
5. *The Legislature should adequately fund student support services for the FPLE Law Scholarship Component to include, at a minimum: a beginning law scholars' orientation, first year campus meetings, a law scholars' annual meeting, a resume directory, bar passage support, and supplemental bar preparation clinics.*
6. *The FPLE should require in the contract, that upon graduation from law school, each FPLE recipient must serve as a mentor to a new FPLE recipient for at least three years. The FPLE Board of Advisors should establish policy guidelines for the mentoring component of the contract after considering other existing statewide mentoring programs.*
7. *The FPLE Board of Advisors should work closely with the Florida Bar's Equal Opportunities in the Profession Section to determine how to secure internships, clerkships, scholarships, and employment for minority law students.*
8. *The FPLE law scholarship selection process should be reconfigured as follows: each accredited law school in Florida will be guaranteed three "seats" per year from the total number of scholarships awarded. Funds to support those scholarships will be distributed to the individual law schools. The remaining awards will be competitively distributed during two rounds, one in April and one in July. Twenty-five awards will be withheld each year for the second (July) award round.*
9. *Institutions that receive FPLE scholarship funds that show a decrease in African-American or Hispanic enrollment over three consecutive years will lose their guaranteed seats.*
10. *Institutions that show an increase in African-American or Hispanic law school enrollment over three consecutive years should be eligible for incentives as determined by the FPLE Board of Advisors.*

11. *FPLE pre-law recipients should be selected from among rising sophomores, juniors, and seniors. Beginning with the 2000-2001 academic year, the pre-law scholarship program should be reconfigured to provide recipients with funds to cover 1) tuition and fees based on a systemwide SUS average, and 2) LSAT Preparation Course tuition. The remaining funds allocated to the program should be used to conduct an intensive four-week pre-law summer program for pre-law scholarship recipients who are rising sophomores or juniors. The summer program should be designed to convey to students the rigors of law study; advise them on an appropriate undergraduate curriculum; expose them to the advantages of and possibilities for a legal career; provide daily classes in appropriate subjects such as legal analysis, writing and argument; expose students to actual courtroom proceedings; and, provide opportunities to meet members of the legal community. Each accredited law school in the state should be eligible to receive funding for a summer institute by submitting a proposal to the FPLE Board of Advisors for consideration. Only one summer institute at one institution per year may be funded. Each pre-law scholarship recipient must attend one summer institute before enrolling in law school.*
12. *The Board of Regents should establish a pre-law scholarship, mentorship, and internship program at Florida Agricultural and Mechanical University and Florida International University for college juniors and seniors with the goal of increasing the number of traditionally underrepresented students in the state's public and private law schools. Such programs should be developed with input from the Chancellor's Legal Education Advisory Council. Continued State funding for the two programs should be contingent upon successful outcomes as determined by the Council.*
13. *All Florida law schools should be strongly encouraged to develop Summer Conditional Programs for students who have not met their admissions standards but who possess the aptitude for legal study. The Legislature should provide up to five matching scholarships to accredited law schools in Florida that provide full-tuition scholarships to students who successfully complete a Summer Conditional Program and enroll in law school. Such students must agree to sit for the Florida Bar and practice law in Florida for a minimum of three years.*