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Summary

This report describes an intensive four-week Pre-Law School Introductory Program offered in August 1980 by the Justice Center at University of Alaska, Anchorage to potential law school candidates from Alaska, focusing on Alaska Natives and members of other ethnic minorities. Two possible directions for further development of this pre-law program are discussed.

THE PRE-LAW INTRODUCTORY PROGRAM

A REPORT



JUSTICE CENTER

**University of Alaska, Anchorage
Anchorage, Alaska**

THE PRE-LAW INTRODUCTORY PROGRAM

A REPORT

by

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THE PRE-LAW SCHOOL INTRODUCTORY PROGRAM

A REPORT

INTRODUCTION

The State's need for attorneys with Alaska Native and other minority backgrounds is apparent. The Alaska Native population exceeds one-fifth of the entire population. Of the approximate 1,300 active members of the Alaska Bar Association, only seven are Alaska Native, four are Black, and eight are of other ethnic origins.^{1/} The legal rights of such persons under the Alaska Native Claims Settlement Act and American Indian Law are complex. The Alaska Native enjoys a special political identity and cultural uniqueness. It would seem, then, that more proportionate Alaska Native representation is essential to fair justice administration in all areas of legal service.

Part of this disproportion is related to the fact that there is no law school in Alaska and that a disproportionately small number of Alaskans go to law school. The great majority of Alaskan attorneys migrated to Alaska after completing their legal education. Otherwise, the disproportion reflects the lower levels of preparatory education among minorities and the failure of the professions, historically, to recognize minority representation as a problem though it has become, more recently, a matter of concern.

1/ This information was obtained by the Alaska Bar Association Committee on Legal Education Opportunity through personal knowledge of ABA members and voluntary ethnic identification on bar examination applications. These figures are not all-inclusive, but give a fairly accurate indication of the ethnic composition of the ABA.

PURPOSE

The University of Alaska, Anchorage (UAA) Justice Center has recognized this imbalance as a challenge to the University^{2/} but only recently has been given a small amount of funding to address the problem. This year, the principal vehicle developed by the Center for minority lawyer development is a Pre-Law School Introductory Program offered to potential law school candidates from Alaska with disadvantaged backgrounds. Based upon similar programs originated by the national Council on Legal Education Opportunity (CLEO), this intensive, four-week program was designed to prepare students for entry to law school by sharpening basic analytical, oral, reading, and writing skills. These skills are crucial to successful law school performance. The program is also designed to give the student an insight into other aspects of the law school process and, with the guidance of the teaching faculty from the profession, to help the student determine whether s/he has the ability and motivation to pursue a law school education.

Recognizing that a large number of students would not be able to find time to take the full course but could still be benefited by a partial participation, one unit of the course focused on the Law School Admission Test and the special barriers it may pose for the surprised student. An expanded enrollment was allowed for this part of the program.

^{2/} See "Legal Education for a Frontier Society," Havelock, 1975.

The pre-law introductory program focused on Alaska Natives and members of other ethnic groups but did not exclude non-minority members. Nationwide, minority members have been at a disadvantage in the regular law school admissions process. Disadvantages arise from educational, cultural, and economic characteristics and have tended to screen minority students out of the higher educational process. The educational level and special needs of all applicants were weighed in relation to preparedness factors arising from ethnic background and region of residence. The recruitment process and admissions criteria for this program were also designed to achieve balanced representation to simulate the diversity of an actual law school admission class. For this reason, also, only college graduates, seniors, and juniors were admitted.

RECRUITMENT/PUBLICITY

Several methods were used to recruit students. One of the most effective was to meet personally with people from various Alaska Native and other ethnic, educational and social service organizations and agencies.^{3/} Many resources which were utilized enjoyed previously developed communications networks, e.g., Talent Search (a part of Alaska Student Higher Education Services), Alaska Legal Services Corporation, Department of Rural Education Affairs, University of Alaska, the Community College System, Alaska Native Foundation, and Alaska Federation of Natives. Native corporations, both profit and non-profit, were particularly

3/ For a complete list of people contacted please see Appendix A.

helpful in disseminating information about the program through regional newsletters.

The news media was also effective with the help of the UAA Office of Public Affairs. Newspaper, radio, and television coverage was elicited throughout the state.

These efforts resulted in a total of 60 people initiating a serious inquiry about the program.^{4/} Of these, 31 met the eligibility criteria, but most could not attend for various reasons. Many were working and could not make arrangements to take a month off from their jobs. This was particularly true of college students who had to make money for the school year. The relatively short alert time, inherent in a program funded for one time only, meant no students had built the program into long term personal plans. Others felt the program was not suited to their needs or convenience.

Ten people actually enrolled in the program. This was deemed a satisfactory number for a pilot project. A much larger number would have severely strained the program logistically and otherwise considering the meager resources available to the task. The ten students produced the sort of sample hoped for. Seven students were Alaska Natives, two were Blacks, and one was Caucasian. Four were female and six were male. Four were college graduates, three were seniors, and three were juniors. Three were from the rural areas of Alaska (Akiachak, Ft. Yukon, and Hooper Bay) and the rest were from the Anchorage area.

4/ For a statistical breakdown of the 60 candidates, see Appendix B.

PROGRAM DESCRIPTION

The instructional element of the program was held on the UAA campus August 4 - 29. Classes met every day from 8:30 a.m. to 4:30 p.m. Six optional credits were offered to students wishing to earn academic credit.^{5/} The course was divided into four major sections: Constitutional Law (an intensive study of equal protection analysis), Legal Writing, American Indian Law, and (appellate) Moot Court argument. Students were required to read and analyze actual cases, outline them, and discuss them in a class following the Socratic Method.

Students were given a number of examinations on the coursework. After each exam they met with the instructor to evaluate their work. Everyone responded well to these individual conferences. Besides the obvious advantage of gaining immediate reinforcement for their performance, students benefited from the opportunity to discuss their goals for law school and receive feedback from people knowledgeable in the field. They mutually assessed student skills, mental abilities, and stamina, all of which need to be good for successful law school achievement.

This program could by no means provide instructors with conclusive evidence as to a person's potential performance in law school, but it gave enough of an indication so the instructor could assist students in making important evaluations and in some cases decisions about their career goals. Some students received

5/ Five of the six undergraduate students took the course for elective credit to apply towards completion of their undergraduate degrees. The credit was given in established courses in the Justice discipline. They were required to pay their own tuition and received letter grades from the Justice Center. Grades were based upon class attendance, writing exercises, participation and examinations.

encouragement to continue with their plans for law school. Others began to see that law school was not a realistic goal for them, but were grateful for the chance to determine that once and for all. Possible alternate careers in related fields were explored.

The moot court exercise enabled students to integrate the skills they had learned and apply them in a hypothetical situation. Each student filed a brief and argued the issues of a mock case before three Supreme Court "justices" in the Alaska Supreme Courtroom in Anchorage. Participating "justices" were the Honorable Victor D. Carlson, Alaska Superior Court Judge, "chief justice," and Carolyn Jones, attorney for the Department of Law, and Patrick Anderson, a local private attorney, "associate justices." The format produced a high degree of realism including the dramatic tension associated with oral presentations. Friends and family of students attended the performance. A critique followed and all attended a party for the students at the day's end at which certificates were presented.

There were two additional segments of the program which were open to the public. One was a two-day preparatory session for the Law School Admission Test (LSAT). A qualifying score on the LSAT is required by all accredited law schools. It is rigorous and presents a major obstacle for most students trying to gain admittance to law school. This session provided students with valuable test-taking techniques and methods of study. There were a total of 22 people in attendance for this segment.

The other segment was a weekly luncheon series which featured

speakers from the legal community. They provided useful information about the law school experience, law career alternatives, financial aid resources, and admission, discipline and other aspects of bar association organization.

STAFF

Dr. Edward J. Bronson, a professor of political science and designer of a successful pre-law program at the California State University, Chico, taught the Constitutional Law portion of the program. He has had extensive experience in teaching this type of program to minority groups and in the placement of minority students in many law schools. Ms. Ella Anagick, a law school graduate of Alaska Native extraction, taught the Legal Writing portion. Mr. Patrick M. Anderson, an Alaska Native attorney, taught the section on American Indian Law. Mr. James Vollintine, another attorney from the Alaska Native Community, assisted the students in their preparation for the moot court. Both Mr. Anderson and Mr. Vollintine donated their time and energy to the program.

Essential administrative direction, oversight, program arrangements, pre-instructional recruitment, and student services, which included support for housing, personal financial support and the like, were provided by Lois Sanborn, a former Peace Corps Volunteer, who had provided similar services to the same type of program conducted for students in the Trust Territory for Micronesia.

EVALUATION

Student evaluations of the program were informally very

favorable overall. Participation in the program involved a type of intense commitment with which few had previous experience. The curriculum was demanding. Day-long classes required evening reading of a high volume of material, preparing for class discussions, learning new writing skills, etc. As student ability to learn difficult concepts while under pressure improved, self-confidence grew, a key ingredient to law school success. Students were surprised and pleased at the amount of information they were able to assimilate in a short period of time. Programmatic pressure gave each student a taste of the real law school experience. Moreover, students were aware that they were learning very useful skills which could be applied, not only in law school, but to every day situations.

Instructors' evaluations of the students were consistent. Of the ten students, three can be unequivocally recommended for law school next year, three could be recommended if motivational aspects are ironed out, i.e., if each made a commitment to law school, and two have good potential, but will need to finish their undergraduate degrees. The ultimate measure of success of this program will be in the numbers of students actually admitted to law school and eventually graduated. The first step is helping them "get in the door." That is the purpose of this program. The final step will be to see them return with law degrees and encourage others to pursue the same through their example.

RECOMMENDATIONS

The future of this pre-law program could lie in either of two

directions. The first approach would be to continue and strengthen the pilot just completed. This approach would require the student's actual attendance only at a 3 - 4 week intensive program, while giving him/her supplemental support all year round. This program is designed roughly to follow the lines of the model implemented in Micronesia. The Micronesia model would involve a year-round cycle beginning with the identification of potential students. This is done by writing letters, making telephone calls, contacting people who have been referred to the program, and announcements through the news media. In Micronesia the LSAT preparation program was offered by a traveling faculty at several distant areas utilizing a series of videotapes made for that purpose. At the same time, pre-law advising was conducted and the law school application process started. A summer program, exactly like the pilot just completed here, was held in the late spring or early summer with the same purpose of evaluating students' abilities and recommending them for admission to the fall term of law school. Of course, this was contingent upon prior admissions agreements made with cooperating law schools. Financial aid resources were found and tapped. Substantial follow-up was done once students were admitted. A continuous correspondence was established with each student and law school administrators were contacted every semester to keep abreast of students' progress. Assistance was given in locating summer clinical experience when necessary.

Much of the success of this program lies in the year-round support and sense of belonging and being supported which the program

provides.

This is an affirmative action style of program with all that is implied in that phrase in terms of the extra thoughtful effort that needs to be made. The "wrap-around" is crucial. The educational establishment, like other American institutions, has slowly come to understand that displaying a welcome mat to minority students is not enough. Many, probably most, of these students carry potentially crushing burdens arising from the cumulative disadvantage of the minority role in American society. To take just one example, few Alaska Natives would be aware of role models for Alaska Natives in the professions. The student may be psychologically programmed to fail.

The key to relief from this disadvantage is motivational support. Minority students should not be shielded from the rigorous realities of any academic program. Even the suggestion of preferential grading of minority students in professional schools will undermine not only the self-confidence of the student but the confidence of the community in the product. But these students can and must be given an extra share of support services until they catch on to the system. Recruitment, continuous reinforcement of organizational ties, support in coping with urban living, tutorial assistance, someone to talk to whom you already know when you have a problem, assistance in admissions placement with skeptical deans of admissions, and other forms of reinforcement and services will be necessary for years to come.

For the Micronesian model to be successful in the long run,

a full-time administrator/counselor would need to coordinate all aspects of the program and provide all of the support services. The advantage of this style of program is that potential students living in the rural areas who are not prepared to attend a year at college could be reached and exposed to the possibility of seeking a career in law. There are eligible people who could be identified but who, because of jobs or family commitments, cannot leave home to participate in a two semester session. The short, spinoffs could supplement the program. An outreach for pre-law could also provide a means to educate people, both young and old, about the law and the effect it has on their lives. A major disadvantage is that this program approach would likely cost more. Since this program is aimed at persons whose economic circumstances will not permit their leaving jobs, adequate funds would need to be made available for travel and stipends for students to replace wages lost by attending the summer program. The funding burden could possibly be shared by cooperating sources, e.g., state legislature, BIA, regional corporations, private foundations, et al.

The alternative direction for program development and perhaps the most pragmatic approach would be to incorporate as much of the program as possible into the regular curriculum of the UAA Justice Center. This would be accomplished by establishing an on-going pre-law program, for seniors, throughout the regular two-semester school year. Two classes, one of which must be Legal Writing and Analysis, the other possibly Constitutional Law, could be offered during the spring semester. Students would be required to take them concurrently. The pre-law aspect would be a special supplement

to these courses. Student support services similar to those provided in the pilot would be implemented, e.g., recruitment, pre-law counseling (including advising on law school application procedures and follow-up with students enrolled at law school), sponsoring LSAT preparatory sessions and/or making study materials available, providing recommendations from qualified instructors, special assistance in identifying and locating scholarship and financial aid programs, and, finally, corresponding with law students and law school administrators once enrolled in the pre-law program.

A clinical component would be another facet of the pre-law program. It could provide a student with invaluable experience in the legal field and help him to determine whether the practice of law or some other area of justice administration is an appropriate personal goal. This component would be set up with a legal agency such as Alaska Legal Services Corporation, Public Defender Agency, The Alaska Bar Association, the Department of Law, a private firm, or some combination of these. Eventually, looking further down the road, this could be coordinated with a third-year law student clinical program for mutual reinforcing benefits.

The third year law school program is a proposed system whereby third year law students (who are forced to go outside the state to attend law school) could complete their third year of study in Alaska through a heavily supervised field practicum with an academic component delivered by a visiting professor of law from a participating law school. This program would be practical in terms of cost

and relevant experience to Alaskans. While there are hurdles to be crossed in working out such a program with established law schools, there are precedents and the concept has been endorsed by leading legal scholars.^{6/}

To implement this pre-law proposal, with or without third year law school articulation, the support of the University of Alaska statewide administration, the Board of Regents and ultimately the legislature (for funding) is necessary. Plans are already being proposed to provide some of the support services mentioned and to develop and supervise a clinical component for pre-law students through the Justice Center. Planning is only in its initial stages now since funding is uncertain. The question of long term commitment to expansion is also open. As more students are identified and enrolled, will funding needs be assured to meet expanding enrollment? These issues remain unanswered. Eventually, this curriculum could be instituted in the statewide university system so as to include the potential students who may be excluded now because of prior commitments to academic programs on other campuses. In contrast to the Micronesian model, this approach would miss students not prepared to spend a year on campus. For those who could, the year-long program would be a more effective preparation for graduate school or other careers in Justice. Obviously, many alternatives exist involving various combinations of elements of the two approaches.

6/ See "Legal Education for a Frontier Society", Ibid.

FUNDING

Funding for the program this year was provided to the UAA Justice Center by the state legislature through a supplemental appropriation of \$10,000 specified for this purpose. These funds were used to pay for some staff, materials, and operational costs. Transportation costs were paid for students attending from rural areas. The budget was not large enough to allocate funds to rural students for their living expenses while staying in Anchorage. We were thus compelled to approach the regional corporations of students needing living stipends. Three corporations, Calista Corporation, Cook Inlet Regional Corporation, and Doyon Limited, willingly granted money to those students. The Alaska Native Brotherhood and Sisterhood jointly paid the minimal salary of Ella Anagick. Patrick Anderson and James Vollintine volunteered their time and energy for instruction and counseling. Dr. Bronson agreed to come for a reduced fee. Other people donated their time as well for counseling, speaking, and participating in the moot court exercise. Many persons wanted to give their time to an exciting experiment. The value of the University faculty contribution and administrative costs, alone, exceed the appropriated amount. The program could not be regularly replicated for the same cost which should be taken into consideration when reviewing the program and making recommendations for future funding.

CONCLUSION

This program could not have been as successful as it was without the help and concern of all the people and resources

involved. Representative Nels Anderson, John Havelock, Patrick Anderson, Carolyn Jones, and the Alaska State Bar Association's Committee on Legal Education Opportunity were instrumental in gaining support for this project in its initial stages. As time went on, many other organizations gave support in many ways. All of the Native corporations and non-profit associations contacted endorsed the program and promised more substantial support if the program were to continue. Individuals, families, and friends gave their encouragement as well. People who have the real potential to become lawyers cannot face the three-year grind of law school without knowing that they have the support of the people around them.

This program is just beginning. It has such great possibilities to assist these potential lawyers through the first steps of their careers. Beyond that, it is laying the groundwork for a fundamental change in the balance of the Alaska legal and political community. It would be very unfortunate if the start made here, this year, is not followed by increasingly longer strides in the years ahead.

APPENDIX A

List of People, Organizations, and Corporations Contacted

Alaska Bar Association - Randall Burns

Alaska Black Caucus - Louis Overstreet, Sheldon Slade

Alaska Commission on Post-Secondary Education - Kerry D. Romesberg,
Jane Byers Maynard

Alaska Court System - Hon. Victor D. Carlson, Clinton Gray II,
Deena Hale, Mary Rice

Alaska Department of Law - District Attorneys Office - Martha Beckwith

Alaska Federation of Natives - Caren LeBar

Alaska Legal Services Corporation - Gordon Jackson

Alaska Native Brotherhood and Sisterhood - Herbert Hope

Alaska Native Caucus - Clifford Black

Alaska Native Education Association - Rosita Worl

Alaska Native Foundation - Roger Lang, Anna Lee McConnell

Alaska Native Human Resources & Development (Kellogg Project) - Don Peter

Alaska Pacific University - Dr. Raghbir Basi, Dr. Lewis Nauman, David Asi

Alaska Public Defender Agency - Michael L. Wolverton

Alaska Student Higher Education Services - Talent Search Program -
Kirk Fjellman (Anchorage), Peggy Imai (Bethel)

Aleut Corporation - Agafon Krukoff

Aleut/Pribilof Island Association - Dimitri Philemonof

Ella Anagick

Anchorage Community College - Elaine Abraham (Student Services),
Eleanor Brown (Financial Aid), Mary Hale (Public Services), Carol
Standish (Media Services), John Svihra (Counseling Center)

Anchorage Department of Education - Cross-Cultural Educational
Development Program - Dennis (Mick) Murphy

Anchorage School District - Indian Education Program - Edna Lamebull,
Shirley Kendall

APPENDIX A
(continued)

Bristol Bay Native Corporation - Fred Matsuno, Mark Stemp

Bureau of Indian Affairs - Robert Portlock (Anchorage), Dick Wiegand (Fairbanks)

California State University, Chico - Dr. Edward J. Bronson

Calista Corporation - Oscar Kawagley, Nancy Chamberlain, Joan Metcalf

Chugach Natives, Inc. - Edgar Blatchford

Cook Inlet Native Association - Chuck Katasse, Phil Kelly, Chris Lyou, James Patlan, Mae Stanley

Cook Inlet Region, Inc. - Roy Huhndorf, Robert Rude

Committee on Legal Educational Opportunity (ABA) - Carolyn E. Jones

Doyon Limited - Tim Wallis

William T. Ford - Attorney at Law

Hedland, Fleischer, & Friedman - Patrick M. Anderson, James Grandjean

KAKM Public Television - Pete Carran, Jane Lawrence

KIMO Television - Statewide News Service - Sharon McConnell

NAACP - Rev. Bob Kemp

Nana Regional Corporation, Inc. - John Shively

North Pacific Rim Native Association - Derenty Tabios

Sealaska Corporation - Chris MacNeil

Tundra Times - Tommy Richards

Tlingit and Haida Central Council - Brenda Knapp, Arlene G. Dilts

University of Alaska, Anchorage - Mel Kalkowski (Public Affairs), Ceceil Mitchell (Admissions & Records), Pat Reeves (Office of Educational Opportunity), Justice Center Staff

University of Alaska, Fairbanks - Andy Angaiak and Sue McHenry (Student Orientation Services) Judith A. Strohmaier (Department of Conferences & Institutes)

University of Alaska Rural Education - Division of Community Colleges - Toni Jones (Student Services and Special Programs)

James F. Vollintine - Attorney at Law

APPENDIX B

Statistical Breakdown of 60 Candidates

Ethnic Origin

32	-	Alaska Native
22	-	Caucasian
2	-	Black
2	-	American Native

Locale

35	-	Anchorage
14	-	Rural (Bush) Alaska
7	-	Fairbanks
4	-	Bethel

Educational Level

26	-	College Graduate
13	-	College Senior
10	-	College Junior
11	-	Other or Unknown

Employment

47	-	Employed
		33 - Full Time
		14 - Temporary Summer Job
10	-	Unemployed
3	-	Unknown

Sex

34	-	Female
26	-	Male