

A DEAN LIKE ME: WHAT DIVERSE FACULTY EXPECT OF DIVERSE DEANS

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ABSTRACT

This essay begins an important dialogue at an inflection point in legal education. In recent years, there have been two key developments: a critical mass of diverse faculty and of diverse law deans. The convergence of these two developments is unprecedented and may prove ephemeral. In the past, researchers likely dealt with very small numbers of diverse faculty and deans. This necessarily made the studies more difficult because small numbers could compromise the privacy of the diverse individuals who responded.

Today, however, the critical mass of both diverse faculty and deans means new opportunities for research emerge. Some of that work could address the impact on institutional climate, students' experiences, the changing expectations of diverse faculty, and the shifting roles of diverse deans. This essay serves as a call to seize this moment by offering an agenda for future research. We also explore new strategies for leadership and faculty governance when there are critical masses of both diverse faculties and diverse deans. Many of the previous strategies rely on training

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individual deans or dealing with equity issues that affect individual faculty. However, in this new era, structural innovations are needed and have already emerged. The Law School Deans Anti-Racism Clearinghouse, created in the wake of George Floyd's murder, was possible only because of a critical mass of diverse deans who could launch it as well as a critical mass of diverse faculty who could provide the relevant scholarship. The creation and expansion of conferences for diverse faculty, deans, and allies such as the AAPI/MENA Women in the Legal Academy Conference, Gathering of Indigenous Legal Scholars (GILS), Graciela Olivárez Latinas in the Legal Academy (GO LILA) Workshop, and Promoting Diversity in Law School Leadership Conference are additional structural innovations.

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I. INTRODUCTION

A. *The Stakes Are High*

The recent premature deaths of high-ranking Black women academics and administrators—North Carolina Central University Law Dean Browne Lewis, Temple University President JoAnne Epps, Lincoln University Vice President Antoinette Candia-Bailey, and Volunteer State Community College President Orinthia Montague—brought into sharp focus the heavy and extra weight carried by Black women academics and administrators.¹ All were well-known for their strong work ethic, and all were vocal about their heavy workloads.² Black academics report feeling as if they must work twenty-four hours a day, seven days a week to prove themselves.³ Extra service obligations, lack of sufficient mentorship, student evaluations, and overt and subtle discrimination provide additional layers to an already challenging job.⁴ In fact, the phenomenon of Black academics experiencing serious illness and premature death has been documented in the literature.⁵

Some evidence indicates that other women of color in legal academia experience similar burdens.⁶ On a rainy Saturday morning several years ago, dozens of Asian American and Pacific Islander/Middle Eastern and North African (AAPI/MENA) women faculty from around the country gathered for a plenary session at our annual conference called Identity, Community, Academic Freedom, and Responding to Hostility. The

1. See, e.g., Andrew Lawrence, ‘*She Endured Cruelty*’: What Led to a Leader’s Death at a Historically Black University?, *GUARDIAN* (Feb. 28, 2024, at 09:00 ET), <https://www.theguardian.com/us-news/2024/feb/28/antoinette-candia-bailey-lincoln-university-death> [https://perma.cc/E8XJ-VX4F]; Tamara Scott, ‘*Devastating and Heartbreaking*’: Colleagues React to Unexpected Death of Dean of NCCU School of Law, *ABC11* (June 6, 2022), <https://abc11.com/post/nccu-school-of-law-browne-c-lewis-north-carolina-central-university/11922647/> [https://perma.cc/GX4Z-PGGV].

2. Lawrence, *supra* note 1.

3. David Stovall, *Black People Are Still Working Themselves to Death and It Will Not Stop Anytime Soon*, *MEDIUM* (Mar. 9, 2021), <https://momentum.medium.com/black-people-are-still-working-themselves-to-death-and-it-will-not-stop-anytime-soon-bc9470bab712> [https://perma.cc/Q5CV-2Z2W]; see also Angela Onwuachi-Willig, *Silence of the Lambs*, in *PRESUMED INCOMPETENT* 142, 149 (Gabriella Gutiérrez y Muhs et al. eds., 2012) (identifying the pressures that women of color face to remain silent regarding their struggles to reconcile their personal and professional identities while undergoing the tenure process).

4. See Onwuachi-Willig, *supra* note 3, at 149.

5. See, e.g., Henrika McCoy, *The Life of a Black Academic: Tired and Terrorized*, *UNIV. OF ILL. CHI.* (June 15, 2020), <https://socialwork.uic.edu/news-stories/the-life-of-a-black-academic-tired-and-terrorized/> [https://perma.cc/CWA3-VFHU]; Lawrence, *supra* note 1; Scott, *supra* note 1.

6. See MEERA E. DEO, *UNEQUAL PROFESSION* 8, 47–48 (2019).

session ran long and led to many other conversations about microaggressions, mistreatment and disrespect from students, colleagues, and leadership. One of the themes raised was that we were at an inflection point in terms of having the most women of color in assistant, associate, and full dean positions at law schools in the United States. A panelist posed these provocative questions: “Now that we’re at this inflection point, are we satisfied with what our women of color deans and associate deans are achieving? What exactly are our expectations of them?” In that room and ensuing conversations after the panel, it became apparent that diverse law professors hope to have leaders who understand their unique hurdles and to mitigate them so we can thrive.

While serious illness and death may seem like extreme examples of what is at stake, there are daily struggles that add up over time. What Black women and other minoritized people face in academia is part of larger systems. In fact, some argue that the academy replicates and strengthens larger hierarchical systems.⁷ Students of color are often marginalized and unsupported,⁸ experience inadequate mentorship in the practice of law,⁹ then are saddled with tons of invisible labor as academics, so they work twice as hard for half the recognition.¹⁰

Our thinking related to what diverse law faculty expect of diverse law deans¹¹ is influenced both by experiences—our own and those of friends and colleagues. Maryam’s research on how law deans can promote diversity in law school admissions and financial aid,¹² and five influential texts and reports also shape and ground our thinking. The scholarship from which we primarily draw includes *Presumed*

7. Lucille A. Jewel, *Bourdieu and American Legal Education: How Law Schools Reproduce Social Stratification and Class Hierarchy*, 56 BUFF. L. REV. 1155, 1173–74 (2008).

8. See Maryam Ahranjani, “Toughen Up, Buttercup” Versus #TimesUp: Initial Findings of the ABA Women in Criminal Justice Task Force, 25 BERKELEY J. CRIM. L. 99, 115–18 (2020) (describing results of NALP FOUND. FOR L. CAREER RSCH. & EDUC. & CTR. FOR WOMEN IN L., WOMEN OF COLOR A STUDY OF LAW SCHOOL EXPERIENCES (2020), <https://www.acc.com/sites/default/files/resources/upload/WomenofColor-AStudyofLawSchoolExperiencesReport.pdf> [<https://perma.cc/DT8D-LEYC>]).

9. See, e.g., *Navigating the Path to Inclusion: Overcoming Challenges and Implementing Solutions in the Legal Field*, ALAMEDA CNTY. BAR ASS’N: BLOG (June 7, 2023), <https://www.acbanet.org/2023/06/07/diversity-and-inclusion-in-the-legal-profession-challenges-and-solutions/> [<https://perma.cc/3GFB-89GH>].

10. See DEO, *supra* note 6, at 58–60; ASS’N OF AM. L. SCHS., AMERICAN LAW SCHOOL FACULTY STUDY 75 (2024) [hereinafter FACULTY STUDY].

11. See discussion *infra* Section III.B for how we define diverse faculty and diverse leaders.

12. Maryam Ahranjani, *The Role of the Law School Dean and Faculty in Supporting and Sustaining Ethical and Antiracist Admissions Practices*, in ANTIRACIST APPROACHES TO ADMISSIONS AND FINANCIAL AID (Jay Austin & Patricia Roberts eds., forthcoming 2026).

Incompetent: The Intersections of Race and Class for Women in Academia, Presumed Incompetent II: Race, Class, Power, and Resistance of Women in Academia, Unequal Profession: Race and Gender in Legal Academia, and two recent studies commissioned by the Association of American Law Schools (AALS): the American Law School Dean Survey and the Law Faculty Study.

These sources indicate that legal education stubbornly lags behind other professions in terms of diversity.¹³ The AALS, American Bar Association (ABA), Law School Admission Council (LSAC), and others have worked hard to improve representation, with some success regarding deans and faculty in recent years.¹⁴ In this project, we draw particular attention to the expectations that diverse faculty have of their diverse leaders. While in theory anyone can be an advocate, mentor, or role model to diverse faculty, there is a keen interest in what diverse deans have done and will do to recruit, retain, and promote diverse faculty.¹⁵ Because law schools play a critical role in shaping institutions, deans are in a unique position to support diverse faculty who help students develop the knowledge, skills, and pathways to their goals as public servants and leaders.

This essay begins an essential dialogue at an important inflection point in legal education. In recent years, there have been two key developments—a critical mass of diverse faculty and of diverse law deans.¹⁶ The convergence of these two developments is unprecedented

13. See Liann Herder, *The State of Law School Diversity in the Wake of Affirmative Action Bans*, EDU LEDGER (July 16, 2024), <https://www.theeduledger.com/students/article/15679124/the-state-of-law-school-diversity-in-the-wake-of-affirmative-action-bans> [https://perma.cc/WB6A-2Q9G].

14. See Bryan L. Adamson, *Case Western Reserve University School of Law's Academy for Inclusive Leadership Development: A New Pedagogy Integrating Diversity, Equity, and Inclusive Belonging into Legal Education*, 75 WASH. U. J.L. & POL'Y 1, 4 (2024) (describing Case Western's leadership development academy that aims to increase diversity in the profession and situating it in the wider commitment of legal education to enhance equity); Danielle M. Conway, *Institutional Antiracism and Critical Pedagogy: A Quantum Leap Forward for Legal Education and the Legal Academy*, 75 ALA. L. REV. 717, 723–24 (2024) (urging that “legal education must be out front leading the way to incorporate antiracism through critical pedagogy” and centering the need to diversify the legal profession and the legal academy to dismantle the “problematic anticanon of ‘colorblindness’”).

15. See, e.g., *Law Deans Antiracist Clearinghouse*, ASS'N OF AM. L. SCHS., <https://www.aals.org/antiracist-clearinghouse/> [https://perma.cc/VF9W-L4EG] (last visited May 23, 2026) (explaining that “antiracist work requires auditing our programs of legal education to assess our progress toward diversifying our faculties, our staff, and especially our student bodies, which in turn diversify our profession”).

16. While critical mass is not a precise term in this context, we aim to convey that there is more than a token number of diverse faculty and deans. See FACULTY STUDY, *supra* note 10, at 21–22; JEFF ALLUM, KATIE KEMPNER & JUDITH AREEN, ASS'N OF AM. L. SCHS., AMERICAN LAW SCHOOL DEAN STUDY 20–23 (2022) [hereinafter DEAN STUDY]. In terms of

and may prove ephemeral. In a time when legal and culture wars over diversity, equity, and inclusion threaten to reverse progress in diversity among law school faculty and leadership, we must assess and address the unique needs of law faculty, particularly diverse faculty. In the past, researchers likely have dealt with very small numbers of diverse faculty and diverse deans.¹⁷ This necessarily made the studies more difficult because small numbers could compromise the privacy of the diverse individuals who responded.

Today, however, with a critical mass of both diverse faculty and deans, new opportunities for research emerge. Some of that work could address the impact on institutional climate, students' experiences with more diverse faculty and deans, the changing expectations of diverse faculty, and the shifting roles of deans in the current political era. This essay serves as a call to capitalize on this moment by offering an agenda for future research. We also explore new strategies for leadership and faculty governance when there are critical masses of both diverse faculties and diverse deans. Many of the previous strategies rely on training individual deans or dealing with equity issues that affect individual faculty. However, in this new era, structural innovations are needed and have emerged, such as the Law School Deans Antiracist Clearinghouse.¹⁸ The Clearinghouse, created in the wake of George Floyd's murder, was possible only because of a critical mass of diverse deans who could launch it as well as a critical mass of diverse faculty who could provide the relevant scholarship.¹⁹ The creation and expansion of conferences for diverse faculty, deans, and allies such as the AAPI/MENA Women in the Legal Academy Conference, Gathering of Indigenous Legal Scholars (GILS), Graciela Olivárez Latinas in the Legal Academy (GO LILA) Workshop, and Promoting Diversity in Law School Leadership Conference are additional structural innovations.

B. Scope

This essay suggests that diverse faculty may have more complex expectations of diverse deans. Those expectations are likely based on a

deans, this is especially true of Black men and women, although not true of the members of other diverse groups. *See* discussion *infra* Section II.A.

17. *See* FACULTY STUDY, *supra* note 10, at 28; DEAN STUDY, *supra* note 16, at 22 ("Until recently, there has not been a systematic, national effort to capture the race/ethnicity data of law school deans The only known investigations, all survey-based, that looked at the race and ethnicity data of American law school deans concluded that there were very few deans who were people of color or Hispanic: three in 1976 and one in 1985-86.").

18. *See* Law Deans Antiracist Clearinghouse, *supra* note 15.

19. *See id.*

sense of hope and even relief that someone like us will see us.²⁰ But those expectations may be unrealistic, unfair, and misplaced since *all* deans ought to support *all* faculty. Diverse deans may not always be able to meet heightened expectations because of their own challenging positionality, particularly in the current politically polarized climate. We introduce the existing literature and weave together different strands of analysis in related questions.

Building on the seminal scholarship mentioned above, as well as the work of Kristine L. Bowman and Andrea Chambers,²¹ Jarienn A. James,²² Laura M. Padilla,²³ Leticia M. Diaz,²⁴ Renee Nicole Allen,²⁵ and others, this article focuses on a subset of deans and a subset of faculty described in the next section. After what seems to be stagnation in dean diversity after some years of increasing diversity,²⁶ we propose a working theory that while all faculty share common needs, diverse faculty may have unique needs, and all deans—not just diverse deans—ought to be aware of them.

The AALS Dean Study and Faculty Study reflect important recent steps toward identifying pathways to and duties of deans and faculty, with a focus on diversity. The Faculty Study—the first of its kind—has significant limitations. One is the very low response rate, so we resist over-reliance on its data.²⁷ Both studies leave many open questions that

20. This is Maryam's view and that of a number of faculty colleagues with whom she spoke about this project, including several attendees of the 2023 AAPI/MENA Women in the Legal Academy Conference.

21. See, e.g., Kristine L. Bowman & Andrea Chambers, *Law, Language and Leadership: Anti-Racism in Deans' Racial Justice Solidarity Statements*, 73 J. LEGAL EDUC. 588 (2025).

22. See, e.g., Jarienn A. James, *Eliminating Racial Assault of Black Bodies in Law School Through CRT Based Professionalism*, 72 UCLA L. REV. DISCOURSE 150 (2024).

23. See, e.g., Laura M. Padilla, *The Black-White Paradigm's Continuing Erasure of Latinas: See Women Law Deans of Color*, 99 DENV. L. REV. 683 (2022) [hereinafter Padilla, *Latina Erasure*]; Laura M. Padilla, *Women Law Deans, Gender Sidelining, and Presumptions of Incompetence*, 35 BERKELEY J. GENDER L. & JUST. 1 (2020) [hereinafter Padilla, *Women Law Deans*].

24. See, e.g., Leticia M. Diaz, *A Seat at the Table: Advancing, Leading, and Deaning While Battling Presumed Incompetence*, 26 HARV. LATIN AM. L. REV. 169 (2023).

25. See, e.g., Renee Nicole Allen, *From Academic Freedom to Cancel Culture: Silencing Black Women in the Legal Academy*, 68 UCLA L. REV. 364 (2021); Renee Nicole Allen, *Hell Hath No Fury Like a White Man Scorned*, 106 B.U. L. REV. (forthcoming 2026).

26. See Christine Charnosky, *Despite High Turnover, Diversity Among Law Deans Sees Little Change*, LAW.COM (May 28, 2025, at 12:50 ET), <https://www.law.com/2025/05/28/despite-high-turnover-diversity-among-law-deans-sees-little-change/> [https://perma.cc/65FS-SKPX].

27. E-mail from Meera Deo, Professor of L., Sw. L. Sch., to authors (July 18, 2025) (on file with authors); see also FACULTY STUDY, *supra* note 10, at 18 (reflecting a relatively low twenty-three percent response rate among faculty respondents).

AALS seems interested in addressing in the future.²⁸ In this piece, we describe the existing literature on the needs of diverse faculty and the unique challenges of diverse deans. We then propose a research agenda to explore the implications of a confluence of a critical mass of diverse deans and a critical mass of diverse faculty.

II. SITUATING THE PROPOSED RESEARCH IN THE CONTEXT OF EXISTING RESEARCH

A. *A Focus on Women, Especially Women of Color, Leaders and Faculty*

After some increases, diversity among law school leaders has remained static in the past few years and is beginning to dip in 2026, which is similar to diversity in the law student body.²⁹ For this essay, we narrow the focus on deans who are non-white³⁰ and not men. We intend to build on an existing body of research on Black women deans and faculty³¹ to explore what all women, especially women of color, expect of women of color deans. To better understand the current role—and

28. AALS, *American Law School Faculty Study: Key Findings and Panel Discussion*, at 1:08–1:20 (YouTube, Nov. 20, 2024) [hereinafter *Panel Discussion*], <https://www.youtube.com/watch?v=QrtXh1RhhIE> (showing the webinar during which President Kellye Testy indicated the study is a first step and that subsequent research will address additional questions).

29. See Charnosky, *supra* note 26. We use the term “leaders” as a broad umbrella for deans and associate/assistant deans but are primarily interested in deans. LSAC President Sudha Setty shared at the April 26, 2026 AAPI/MENA Women in the Legal Academy Conference that close observers of legal education have noted anecdotally that law dean diversity has recently stagnated or perhaps even dipped, as opposed to significant growth in the five years prior, and encouraged further study of the available data to better understand these possible trends. Julianne Hill, *Law School Diversity Dips After Trump Administration Orders, New ABA Study Finds*, A.B.A. J. (Dec. 15, 2025, at 15:31 CT), <https://www.abajournal.com/web/article/law-school-diversity-dips-after-trump-administration-orders-new-aba-study-finds> [<https://perma.cc/FVZ6-BQDZ>] (describing that Black students were 7.7% of the 2025 entering class compared to 7.6% the prior year and Hispanic students were 13.9% compared to 14.2% even though overall enrollment increased 4.4%).

30. Per current AP style, we do not capitalize “white” in reference to white people. Nicole Myer, *Why We Will Lowercase White*, ASSOCIATED PRESS (July 20, 2020), <https://www.ap.org/the-definitive-source/announcements/why-we-will-lowercase-white/> [<https://perma.cc/KA6W-786H>] (describing that there was a clear desire and reason to capitalize Black and less support for capitalizing white).

31. See, e.g., *Law Deans Antiracist Clearinghouse*, *supra* note 15 (listing numerous resources by, for, and about Black female law deans and faculty, curated by five Black female law deans).

challenges—of law school leaders, especially diverse³² leaders, this article identifies demographic trends.

The recent increase in the number of diverse deans was and is seen as a positive change built on decades of effort.³³ It is a step toward one of the American Bar Association's main pillars, to "[e]liminate [b]ias and [e]nhance [d]iversity" in the legal profession.³⁴ The ABA also addressed diversity in legal education with renewed vigor in 2022, adding a requirement to Standard for Legal Education 303 that law schools provide "substantial opportunities" for professional identity formation and at least two educational experiences on cross-cultural competency, bias and racism.³⁵ These developments at the systemic level are impressive, and a long time coming—law schools were exclusively white male spaces until quite recently.³⁶ Consider that just twenty years ago, only eighteen percent of law deans were women and thirteen percent were people of color or Hispanic.³⁷

In contrast, in 2024, the ABA reported that forty-two percent of law schools had women deans.³⁸ Mississippi College of Law Dean Emeritus and Professor of Law Jim Rosenblatt created the most comprehensive, real-time tracking of diversity data among law deans; it is now managed

32. In this piece, we focus on full-time women of color faculty with a specific focus on women who are not Black, since there is limited literature on this group, which includes women who are Native American, Middle Eastern and North African, Latina/Hispanic/Latiné, and Asian, Asian American and Pacific Islander. By full-time, we mean tenured faculty, pre-tenure faculty, and faculty in long-term contracts. We understand that clinical faculty, particularly those who are not tenure-stream, may have a particular interest in protection from their deans because of the often sensitive nature of their work.

33. See generally Laura Rothstein, *Reflections from an Era of Breaking Glass: 1984–1998*, 80 UMKC L. REV. 757 (2012) (describing the role of the AALS Women in Legal Education Section in promoting access to the legal academy for women).

34. *ABA Mission and Goals*, A.B.A., https://www.americanbar.org/about_the_aba/aba-mission-goals/ [<https://perma.cc/93Q4-JYQ4>] (last visited May 23, 2026) (describing "Goal III: Eliminate Bias and Enhance Diversity").

35. AM. BAR ASS'N, STANDARDS AND RULES OF PROCEDURE FOR APPROVAL OF LAW SCHOOLS 2022–2023, at 18 (2022) ("(b) A law school shall provide substantial opportunities to students for: . . . (3) the development of a professional identity. (c) A law school shall provide education to law students on bias, cross-cultural competency, and racism: (1) at the start of the program of legal education, and (2) at least once again before graduation.").

36. See, e.g., Conway, *supra* note 14, at 731 (describing the coordinated efforts of leading organizations to "perpetuate law schools, bar associations, and learned societies, as white, male spaces"); Bennett Capers, *The Law School as a White Space*, 106 MINN. L. REV. 7, 21–22 (2021).

37. DEAN STUDY, *supra* note 16, at 9.

38. *Profile of the Legal Profession 2024: Women in the Legal Profession*, A.B.A., <https://www.americanbar.org/news/profile-legal-profession/women/> [<https://perma.cc/6QGV-R2EE>] (last visited May 23, 2026).

by the AALS.³⁹ According to Dean Rosenblatt, as of May 23, 2026, 43.72% of current law deans are white men, 23.12% are white women, 9.55% are Black men, 13.07% are Black women, 2.51% are Latino or Hispanic men, 2.51% are Latina or Hispanic women, 0.50% are Native American men, and 1.01% are Native American women.⁴⁰ Dean Rosenblatt's categories are more granular than the AALS's—or the ABA's—because he gave respondents the opportunity to describe their own identities,⁴¹ but if one combines Asian/Pacific Islander, Filipino, Asian American, Arab, and Iranian American, only 4.52% of Deans—3.01% men and 1.51% women—fall into these categories.⁴²

B. Relevant Scholarly Literature is Powerful and Growing

In 2012, Professors Gabriela Gutiérrez y Muhs, Yolanda Flores Niemann, Carmen G. González, and Angela P. Harris published the groundbreaking book *Presumed Incompetent*.⁴³ Filled with narratives written by leading diverse women scholars across disciplines, it documents how the intersections of race, gender, and class in academia combine to create a presumption of incompetence.⁴⁴ The powerful narratives collected in the text unveil how the demographics *and* culture of academia are “distinctly white, heterosexual, and middle- and upper-middle-class.”⁴⁵ The book celebrates community, especially among generations and across identities.⁴⁶

Yolanda Flores Niemann, Gabriela Gutiérrez y Muhs, and Carmen G. González published a follow-up text called *Presumed Incompetent II* in 2020.⁴⁷ Their second book continues the conversations from the first text

39. Jim Rosenblatt, *AALS Rosenblatt's Deans Database*, ASS'N OF AM. L. SCHS., <https://lawdeans.com/> [<https://perma.cc/AA4J-WYJK>] (last visited May 23, 2026).

40. Jim Rosenblatt, *AALS Rosenblatt's Deans Database—Results*, ASS'N OF AM. L. SCHS. [hereinafter *Deans Database—Results*], <https://lawdeans.com/results.php?s=15> [<https://perma.cc/6BGM-KHLX>] (last visited May 23, 2026) (listing deans alphabetically by ethnicity and gender).

41. E-mail from Jim Rosenblatt, Dean Emeritus & Professor of L., Miss. Coll. Sch. of L., to Maryam Ahranjani (Aug. 20, 2025, at 22:39 ET) (on file with author).

42. *Deans Database—Results*, *supra* note 40.

43. GABRIELLA GUTIÉRREZ Y MUHS ET AL., *PRESUMED INCOMPETENT: THE INTERSECTIONS OF RACE AND CLASS FOR WOMEN IN ACADEMIA* (Gabriella Gutiérrez y Muhs et al. eds., 2012) [hereinafter *PRESUMED INCOMPETENT*].

44. *See generally id.* at 1 (encompassing an inter-sectional analysis of race, gender, and class in academia to create a presumption of incompetence).

45. *Id.* at 3.

46. *See id.* at 7–8 (discussing the methodology used by the authors to reclaim and celebrate community).

47. YOLANDA FLORES NIEMANN, GABRIELLA GUTIÉRREZ Y MUHS & CARMEN G. GONZÁLEZ, *PRESUMED INCOMPETENT II: RACE, CLASS, POWER, AND RESISTANCE OF WOMEN IN ACADEMIA* (Yolanda Flores Niemann et al. eds., 2020).

and focuses on resistance to presumptions of incompetence.⁴⁸ Also an interdisciplinary text, it provides examples of ways women are increasingly fighting back in big and small ways.⁴⁹ Resistance includes stepping forward rather than back; training our students to be anti-racist, anti-sexist, and anti-homophobic; finding and sharing survival strategies; calling out unproductive and harmful behavior; building allies; and seeking leadership opportunities and using those opportunities to uplift others while battling others' presumptions about their incompetence.⁵⁰

In contrast to *Presumed Incompetent* and *Presumed Incompetent II*, Professor Meera Deo's trailblazing 2019 book *Unequal Profession* focuses exclusively on legal academia. She compares the experiences of women of color to those of white men and women and men of color in law faculty.⁵¹ Drawing on her own qualitative data set, she documents how race and gender intersect through all stages of the legal academic career to create profound obstacles for women of color law faculty.⁵² Much of what she reports mirrors the narratives in *Presumed Incompetent* and *Presumed Incompetent II*, including microaggressions from students and colleagues, unfair teaching evaluations, extra service work, and presumptions of incompetence.⁵³ Deo's book presents opportunities for improvement of educational and professional outcomes.⁵⁴

Professor Deo reports that "[t]he most blatant acts of discrimination evident in the DLA data are against Muslim and Arab American [women] faculty candidates."⁵⁵ Professor Deo's research aligns with the lived

48. See generally *id.* at 3 (describing the authors' methodologies for resisting presumptions of incompetence).

49. See *id.* at 6.

50. See *id.* at 6–7.

51. DEO, *supra* note 6, at 1.

52. See generally *id.* (describing how a Black female professor faced barriers to entering academia, lack of representation, and disproportionate service burdens).

53. See *supra* notes 43–50 and accompanying text.

54. See DEO, *supra* note 6, at 139.

55. *Id.* at 22–23. Professor Deo provides an extreme example, which paints a disturbing reality:

A professor of color recounts how her white male colleague blocked the candidacy of a Muslim candidate dressed in hijab who performed well at her initial interview and was invited to campus for a full-day visit. Afterward, at a faculty meeting discussing the candidate's qualifications, a white male faculty member publicly voiced his objection to hiring her, without complaining about her credentials, teaching, or scholarship. As recounted by a colleague, this white male faculty member objected simply because, "I just wouldn't feel comfortable having her in the office next to me." . . . Another DLA participant reflecting on recent potential hires admitted that particular candidates might have cause to sue for employment discrimination if they knew the full story behind their rejections: "We've had visiting faculty who are Arab or Muslim who've been run out of town on a rail. I think it's offensive and actionable."

experiences of AAPI/MENA women faculty; in fact, this article grew out of an emotional and impactful conversation at a recent AAPI/MENA Women in the Legal Academy Workshop described at the beginning of the essay.⁵⁶

In 2022, the AALS and its partners published the results of an extensive research project.⁵⁷ The study looked at diversity, broadly defined, as a key indicator of several qualitative aspects of law school leadership.⁵⁸ Conducted for the AALS by the independent research center NORC at the University of Chicago, the project surveyed over 200 law school deans across the United States.⁵⁹ Entitled the *American Law School Dean Study*, its executive summary ends with “[w]e hope the study will contribute to further diversifying the ranks of deans by education, experience, race, ethnicity, gender, and age, and thereby increase the quality of leadership in the nation’s law schools.”⁶⁰ In this regard, the AALS centers diversity as a key marker of high-quality law school leadership.

In 2024, the AALS rolled out the data and conclusions from an even more ambitious project.⁶¹ As with the 2022 study, this one was spearheaded by the University of Chicago’s NORC.⁶² The 2024 Faculty Study engaged over 1,700 faculty and 115 deans from U.S. law schools.⁶³ The 2024 AALS President, Dean Melanie D. Wilson of the Washington and Lee University School of Law, encouraged readers to consider the new study “as a complement to the AALS 2022” project in the 2024 study’s Foreword.⁶⁴ Notably, the study “presents new and unique findings about law school faculty demographics, career pathways, and professional experiences.”⁶⁵ The intersection of these subjects with diversity is impossible to ignore. As the authors point out, “at the forefront are concerns about diversity and equity, as women, Hispanic faculty, and faculty of color are overrepresented among contingent and part-time faculty” who experience lower compensation and security of position, and fewer opportunities for advancement.⁶⁶

Id.

56. See discussion *supra* Section I.A.

57. DEAN STUDY, *supra* note 16.

58. See *id.* at 18.

59. See *id.* at 16–18.

60. *Id.* at 8.

61. See FACULTY STUDY, *supra* note 10.

62. See *id.* at 19.

63. *Id.* at 18.

64. *Id.* at 8.

65. *Id.* at 10.

66. *Id.* at 17; *cf. id.* at 51–53 (discussing the job security and advancement opportunities that come with tenured professors).

In *The American Law School Faculty Study*, the AALS compresses AAPI-MENA law faculty into one group, including other racial and ethnic groups, ostensibly due to being a small cohort.⁶⁷ The 2024 study explains that “fewer than 5 percent of all respondents identified as Asian or Asian American, American Indian or Alaskan Native (AIAN), Native Hawaiian or Pacific Islander (NHPI), and Middle Eastern or North African (MENA).”⁶⁸ Because of the “small proportions, faculty with these identities were combined to create a single group for analysis and reporting.”⁶⁹ With a total number of 1,890 faculty respondents, fewer than ninety-five fall into this combined AA/AIAN/NHPI/MENA category.⁷⁰ According to the report, the AALS was concerned with protecting faculty confidentiality and disclosure risks.⁷¹ It is important to note that while the reasons articulated make sense, these groups—indeed, subgroups within these groups—are quite diverse. This large category is extremely diverse in terms of language, food, religion, phenotypical appearance, immigration status and backgrounds, lived experiences, and other ways.

In 2026, numerous members of the Women in Legal Education Section of the Association of American Law Schools published articles on the intersection of gender with legal issues in a symposium issue of the *University of Missouri-Kansas City Law Review*. Gender and/or racial diversity in law school faculties and leadership was discussed in several articles, in a sub-section entitled “Inside the Academy.”⁷² Notably, Torey Dolan’s *The Indian Law Aunties* describes the 2020 study “Women of Color: A Study of Law School Experiences.”⁷³ Dolan explains that the study, conducted by the National Association for Law Placement and the Center for Women in Law, documented the experiences of women of color in all roles in legal education.⁷⁴ She notes that the study, while important, marginalizes American Indian/Native American women by not including them as a distinct category.⁷⁵ She contextualizes this as cultural erasure, which can be understood as analogous to the problems we describe regarding the lack of research on AAPI/MENA women law

67. *Id.* at 19.

68. *Id.*

69. *Id.* Professor Deo pointed out in a review of a draft of this piece that with a twenty-three percent response rate, we really cannot draw meaningful conclusions once we disaggregate the data. See E-mail from Meera Deo, *supra* note 27.

70. FACULTY STUDY, *supra* note 10, at 18–19.

71. *Id.* at 22.

72. See *Table of Contents*, 94 UMKC L. REV. 1 (2026).

73. Torey Dolan, *The Indian Law Aunties*, 94 UMKC L. REV. 687, 687 (2026).

74. *Id.*

75. *Id.* at 688.

faculty and deans.⁷⁶ Her article closes with a quote from the first American Indian woman law school dean, Stacy Leeds, and Dolan's own call to action: "A more equitable legal academy must contend with the history of colonization, the law's role in colonization, and the contemporary place of Indian people within our society."⁷⁷

In the same symposium issue, Katharine T. Schaffzin and Katie Kempner describe a "Glass Cliff" women law deans face and call for additional research on and cohort-building for women as law deans.⁷⁸ They describe this as necessary for the full development of the legal profession as one that is equitable, and for the sustainability of the legal academy itself.⁷⁹ The article explains it as part of the co-authors' larger study of women attorneys in higher education leadership.⁸⁰ Schaffzin and Kempner note that "there has been a startling decrease in the number of women being hired into law school deanships commencing in 2025."⁸¹ Furthermore, "[a]s they constitute a substantial number of modern women law deans, women of color are significantly impacted by the glass cliff phenomenon."⁸²

Also in the context of racial inequity, while not focused on deans, Jamelia N. Morgan's article *Some Thoughts on Outsiders in the Legal Academy* "argues that the current assault on academic freedom and diversity initiatives should be understood as part of a broader period of civil rights retrenchment, and that this moment demands an 'Outsider Within' response from legal scholars."⁸³ Her framing of the need for this at an institutional level is a powerful reminder of the deleterious impact of retrenchment, but also the capacity for positive change through collective empowerment.

The scholarship described above sits in an important context of the role of legal education writ large. Law schools shape future lawyers and leaders in American society, but legal education has never reflected the

76. See *id.* at 688–90.

77. *Id.* at 701.

78. Katharine Traylor Schaffzin & Katie Kempner, *Glass Cliff Off an Ivory Tower*, 94 UMKC L. REV. 669, 670 (2026) (explaining that in 2010 to 2020, "[l]eading law schools became an increasingly difficult charge just as women were stepping into the role, reflecting a phenomenon documented in other sectors as 'the glass cliff'").

79. See *id.* ("Identifying the problem will pave the way for institutional strategies to overcome it.").

80. See *id.* ("Documenting the phenomenon will educate women who aspire to leadership and men who seek to support them.").

81. *Id.*

82. *Id.* at 679.

83. Jamelia N. Morgan, *Some Thoughts on Outsiders in the Legal Academy*, 94 UMKC L. REV. 703, 705 (2026).

diversity of American society.⁸⁴ Professor Etienne Toussaint describes legal education as existing to provide content, develop legal analysis and advocacy skills, and inculcate democratic values such as the rule of law, liberty, and equality.⁸⁵ Lawyers play a critical role in the public sphere and occupy leadership roles at the highest levels in all branches of federal, state, and local government.⁸⁶ The most popular reason that applicants pursue legal education is that it is a “pathway to a career in politics, government, or public service.”⁸⁷

When we presented an early draft of this essay at the 2025 AALS Annual Conference, an attendee mentioned that we ought to acknowledge that a dean’s racial/ethnic background is not the end of the story. In other words, there cannot be a direct correlation between a law dean’s racial/ethnic diversity and their or the institution’s approach to inclusivity. Partly to respond to the complexity of the data and the need for more information, Associate Dean for Academic Affairs at Rutgers Law, Victoria Chase, suggested that the increasing diversity and collaborative workstyles of “dean teams”—including associate/assistant deans—ought to be noted.⁸⁸ Without any available research to identify outcomes of diverse dean teams versus simply the dean, we concede it is likely that diverse dean teams are more apt to facilitate feelings of inclusivity for faculty than dean teams that are not diverse.⁸⁹

It seems there is room for improvement on that front. In terms of associate and assistant deans, the data is even more limited. That said, Meera E. Deo includes 2013 demographic data in *Unequal Profession*.⁹⁰ This data, taken from the ABA, shows the persistent

84. James Leipold, *NALP Report on Diversity at U.S. Law Firms – More Signs of Progress, Longer Road Ahead*, L. SCH. ADMISSIONS COUNCIL (Feb. 2, 2023), <https://www.lsac.org/blog/nalp-report-diversity-us-law-firms-more-signs-progress-longer-road-ahead> [<https://perma.cc/JT6L-EDXQ>].

85. See Etienne C. Toussaint, *The Purpose of Legal Education*, 111 CALIF. L. REV. 1, 41–43 (2023).

86. See Bowman & Chambers, *supra* note 21, at 598–99.

87. ASS’N OF AM. L. SCHS., BEFORE THE JD: UNDERGRADUATE VIEWS ON LAW SCHOOL 43 (2018), https://www.aals.org/app/uploads/2023/08/AALS_BeforetheJD_Final_Report_083118.pdf [<https://perma.cc/NDU9-QARR>] (explaining that forty-four percent of applicants identify this as the primary reason they are considering law school).

88. Notes made during AALS Balance and Well-Being Section Works in Progress Session (Jan. 11, 2025) (on file with authors).

89. See Ron Carucci, *One More Time: Why Diversity Leads to Better Team Performance*, FORBES (Jan. 20, 2024, at 10:29 ET), <https://www.forbes.com/sites/roncarucci/2024/01/24/one-more-time-why-diversity-leads-to-better-team-performance/> [<https://perma.cc/A28M-456L>] (describing how diverse groups increase innovation and learning, create a safer environment that allows people to be open, retain top talent, accelerate complex problem-solving, and enhance morale).

90. See DEO, *supra* note 6, at 4, 100.

underrepresentation of women of color in law school leadership positions below the “full” dean level.⁹¹ It also shows the overrepresentation of women in leadership roles that carry both lower-status and higher interpersonally draining workloads, like assistant deans for student services, career services, and diversity.⁹²

C. *The Needs of Diverse Students*

Diverse faculty provide crucial support to diverse law students.⁹³ The value of “mirroring” has been well-documented in the literature.⁹⁴ Although diversity among faculty has increased measurably, law students still do not reflect the diversity of our country.⁹⁵ The Supreme Court’s 2023 decision in *Students for Fair Admissions v. Harvard* may negatively affect student diversity; time will tell.⁹⁶

In terms of overall diversity, in 2023, thirty-four percent of all students pursuing a Juris Doctor were students of color.⁹⁷ “Among all law students in 2023, 13.6% were Hispanic, 7.8% Black, 7.4% Asian

91. See *Law School Faculty & Staff by Ethnicity and Gender*, A.B.A. STATS. ARCHIVES, https://www.americanbar.org/groups/legal_education/accreditation/statistics/archives/ [https://perma.cc/UA88-7P6G] (last visited May 23, 2026).

92. See *id.*

93. See Kevin R. Johnson, *The Importance of Student and Faculty Diversity in Law Schools: One Dean’s Perspective*, 96 IOWA L. REV. 1549, 1557 (2011).

94. See *id.* at 1557–62 (describing the value of diverse faculty as role models to diverse students); see also Chris Chambers Goodman & Sarah E. Redfield, *A Teacher that Looks Like Me*, 27 J. C.R. & ECON. DEV. 105, 108 (2013) (discussing both the history and other research literature on the importance of faculty diversity in law schools and analyzing “the particular manifestations of inadequate faculty diversity, addressing not only the student perspective, but also perspectives of faculty, administrators, and the larger communities with which they interact”); Laura Rothstein, *The LSAT, U.S. News & World Report, and Minority Admissions: Special Challenges and Special Opportunities for Law School Deans*, 80 ST. JOHN’S L. REV. 257 (2006) (describing what law deans can do to improve diversity among the student body).

95. Kathryn Palmer, *Law Faculty Are More Racially, Gender Diverse than Ever*, INSIDE HIGHER ED (Nov. 27, 2024), insidehighered.com/news/faculty-issues/diversity-equity/2024/11/27/law-faculty-are-more-racially-gender-diverse-ever [https://perma.cc/A4Y5-2CQR]; Herder, *supra* note 13.

96. Julianne Hill, *Law School Diversity Persists After Affirmative Action Ban*, *New ABA Report Finds*, ABA J. (Dec. 18, 2024, at 9:20 CT), <https://www.abajournal.com/web/article/lsat-still-rules-as-number-of-accepted-law-students-grows-aba-report-finds> [https://perma.cc/5NG5-7VF5]. See Palmer, *supra* note 95; see also *infra* notes 105–09 and accompanying text (explaining that strict scrutiny governs race-conscious admissions and that race cannot be used without individualized, contextual analysis).

97. *Profile of the Legal Profession 2024: Legal Education*, A.B.A. (2024), <https://www.americanbar.org/news/profile-legal-profession/legal-education/> [https://perma.cc/N379-9ADW] (last visited May 23, 2026) (comparing this to 1978, when only nine percent of first-year law students were students of color).

American, 4.2% mixed race and 0.5% Native American, Native Hawaiian or Pacific Islander. An additional 6.9% were classified as race unknown.”⁹⁸

As 2026 AALS President and Dean Danielle Conway of Penn State Dickinson Law explains, there is still significant “underrepresentation of Black people, Latinx people, Asian people, Native Hawaiians, Pacific Islanders, and Native Americans in law schools and in the legal profession.”⁹⁹ As another researcher of law student diversity noted in 2025, “there is the ominous possibility that the trends will worsen. An AccessLex study of state affirmative-action bans found that the declines in law degrees awarded to underrepresented people intensified as years passed.”¹⁰⁰ Researcher Aaron Taylor with the AccessLex Center for Legal Education Excellence described what he calls the “legal education’s prestige hierarchy,” demonstrated in part by the fact that between 2024 and 2025, “[e]nrollment of Black and Hispanic first-year students at the nation’s highest-ranked law schools has fallen, despite relatively flat trends over all.”¹⁰¹ The legal academy still, for the most part, cares about the prestige of the schools that the faculty attended.¹⁰² If most non-white students are going to schools outside of the T-14,¹⁰³ it seems like they will be less likely to be considered for clerkships, feeder fellowships, and ultimately tenure-stream positions.¹⁰⁴

It is important to note that—other than matching the general population, which will not pass constitutional muster—there is no clear, widely accepted end goal with regard to diversity. There are different points of view in terms of what it means to achieve diversity.¹⁰⁵ In fact, this is one of the reasons the Supreme Court decided what it did in

98. *Id.*

99. Conway, *supra* note 14, at 736.

100. Aaron N. Taylor, *An Unprecedented Shift in Law School Admissions*, CHRON. HIGHER ED. (Feb. 7, 2025), <https://www.chronicle.com/article/an-unprecedented-shift-in-law-school-admissions> [<https://perma.cc/PM3A-P5GC>].

101. *Id.*

102. See Michelle Weyenberg & Jack Crittenden, *How Elitism Is Killing Us: Elitism in Hiring Law Professors*, NAT’L JURIST (Sep. 21, 2023), <https://nationaljurist.com/national-jurist-magazine/elitism-part-4-do-so-many-law-professors-get-hired-from-so-few-schools/> [<https://perma.cc/F334-685V>] (describing that seventy-two percent of newly hired law professors in the previous ten years attended the fifteen most prestigious law schools, and thirty-four percent attended Harvard or Yale Law Schools).

103. See Taylor, *supra* note 100.

104. See Weyenberg & Crittenden, *supra* note 102.

105. See, e.g., Charles R. Calleros, *Admissions and Access to Higher Education After SFFA v. Harvard*, 50 J. COLL. & UNIV. L. 1, 19–31 (2025).

Students for Fair Admissions v. Harvard.¹⁰⁶ In its relatively narrow holding, the Court affirmed that strict scrutiny applies to consideration of race and ethnicity in higher education admissions and found that people involved in admissions decisions could not use race alone—without further information describing *how* the *individual's* race and background affected their readiness and potential contributions to a particular institution.¹⁰⁷ The Court questioned when the justification of considering diversity in admissions for purposes of diversifying a student body would actually end.¹⁰⁸ Some states already have experience trying to achieve diversity in the context of bans on considering race in higher education admissions, and scholars have documented the ups and downs of those efforts.¹⁰⁹

As described in *Excluded & Alone: Examining the Experiences of Native American Women in the Law and a Path Towards Equity*, Native American women are often excluded from conversations about expectations and needs, both as law students and throughout their careers as lawyers.¹¹⁰ The exclusion of their voices is sometimes attributed to their small numbers, much like other diverse faculty and deans.¹¹¹ This approach misses a key point: racial silencing and marginalizing are self-fulfilling. Elizabeth Kronk Warner, Angelique EagleWoman, and Stacy Leeds are all trailblazing Native American women in the legal academy who have generously shared their experiences, challenges, and hopes to create more space for Native

106. See *Students for Fair Admissions, Inc. v. President & Fellows of Harvard Coll.*, 600 U.S. 181, 220–21 (2023) (finding that applicants' race alone may not be a factor in higher education admissions decisions).

107. *Id.* at 231.

108. *Id.* at 224–25.

109. See Calleros, *supra* note 105, at 29–32 (describing how higher education institutions in states that banned racial preferences years before *SFFA* have worked to achieve student body diversity); Richard D. Kahlenberg, *New Avenues for Diversity After Students for Fair Admissions*, 48 J. COLL. & UNIV. L. 283, 300–22 (2023).

110. See generally ARIN REEVES, *EXCLUDED & ALONE: EXAMINING THE EXPERIENCES OF NATIVE AMERICAN WOMEN IN THE LAW AND A PATH TOWARDS EQUITY* (Linda Benally & Jin Hwang eds., 2023) (describing interviews with Native American women about their careers in law); Lindsay Wilcox, *The Next Five Years: Dean Elizabeth Kronk Warner Reflects on Time at Utah Law*, S.J. QUINNEY COLL. L. (2024), <https://www.law.utah.edu/resgestae-issue/the-next-five-years-dean-elizabeth-kronk-warner-reflects-on-time-at-utah-law/> [<https://perma.cc/M6QL-5U2B>] (explaining the unique challenges of being a dean during the COVID-19 pandemic).

111. When the NALP survey of diverse law students was released without data about Native American students, the researchers received tremendous negative feedback. See, e.g., Letter from the Nat'l Native A.B.A. Bd. of Trs., to The Ctr. for Women in L.: Exec. Comm. (June 26, 2020) (on file with the Rutgers University Law Review).

voices.¹¹² Professor Deo explains the deep impacts of the erasure of Native American voices when researchers lack or fail to uncover access to data about them. Deo argues “the systematic invisibility—the ‘paper genocide’ resulting from a lack of data on Native Americans—means it will be virtually impossible for Indigenous interests, preferences, priorities, or perspectives to be fully represented.”¹¹³

In legal education, Latina/Hispanic faculty and deans similarly face isolation and silencing.¹¹⁴ In her well-known piece *Mascaras, Trenzadas y Greñas*, Margaret Montoya unpacks the exhausting and often harmful degree of masking, mimicking, and assimilation that academia and the legal profession demand of people of color and other subordinated groups.¹¹⁵ She powerfully described her own—as the first Latina at Harvard Law School—experience of masking and unmasking.¹¹⁶ While Montoya described her own important story as a Latina trailblazer, the piece resonates with other “Outsiders.”¹¹⁷

112. Angelique EagleWoman & Wambdi A. Was'teWinyan, *Trailblazing and Leading a Purposeful Life in the Law: A Dakota Woman's Reflections as a Law Professor*, 51 SW. L. REV. 227 (2022); Elizabeth Kronk Warner, *Living in Two Worlds*, 73 RUTGERS U. L. REV. 933 (2021) (describing the tensions of being a light-skinned Native American woman in legal academia who is at once living in Indian country and in the colonizer's world); *Native American Women and the Law Conference*, THOMAS JEFFERSON SCH. L. (Feb. 22, 2011), <https://www.tjssl.edu/news-and-events/native-american-women-and-the-law-conference/> [<https://perma.cc/SH7X-247M>] (discussing a speech Stacy Leeds gave at Thomas Jefferson School of Law's 10th Anniversary Women and the Law Conference in 2011).

113. Meera E. Deo, *Better than BIPOC*, 41 L. & INEQ. 71, 101 (2023); see also Victoria Sutton, *Guide Post: Native American Exclusion as a Form of Paper Genocide*, UNDERSTANDING LEGAL EDUC. (July 17, 2020), <https://ttu-ir.tdl.org/server/api/core/bitstreams/f979e0b8-356a-4a50-abfc-e9dd99cde125/content> [<https://perma.cc/H32Z-AFVG>] (arguing that the exclusion of Native Americans from data collection constitutes a form of “paper genocide” that obscures their distinct experiences).

114. See HNBA Latina Commission, HISP. NAT'L BAR ASS'N, <https://hnba.com/latinacommission/> [<https://perma.cc/V2KT-N976>] (last visited May 23, 2026) (explaining that only two percent of lawyers in the U.S. are Latina/Hispanic despite being approximately ten percent of the U.S. population).

115. See generally Margaret E. Montoya, *Mascaras, Trenzadas, y Greñas: Un/Masking the Self While Un/Braiding Latina Stories and Legal Discourse*, 17 HARV. WOMEN'S L.J. 185 (1994) (explaining how the legal academia pressures people of color to mask and mimic dominant norms).

116. See *id.* at 186–92.

117. E-mail from Vanessa Racehorse, Assoc. Professor of L., U. Colo. L. Sch., to authors (Aug. 8, 2025, at 10:50 ET) (on file with authors). In this email, Professor Racehorse described how even as a Native American woman, she related to Montoya's powerful imagery and words. *Id.* Professor Ahranjani read this article while in law school in the late 1990s and was deeply affected by it as well.

Additionally, the Middle East and North African (MENA) category largely has not received attention in legal education.¹¹⁸ However, after decades of advocacy,¹¹⁹ that is changing. After adding a write-in option under the White category in the 2020 Census,¹²⁰ the U.S. Census will, for the first time, add a separate MENA category to the 2030 Census.¹²¹ The ABA Council added a MENA category for the first time for Fall 2023 law school matriculants.¹²² And in 2024, the AALS for the first time included a MENA category when collecting information about faculty demographics.¹²³

The experiences of students of color are the subject of a small but growing body of research.¹²⁴ For example, in 2020, the National Association for Law Placement and the Center for Women in Law at the University of Texas School of Law released a comprehensive study on the experiences of women-of-color law students.¹²⁵ A total of 4,084 students from forty-six law schools across the United States participated, including 2,682 women, of whom 773 were women of color.¹²⁶ It is important to note that the response rate was just 19%, which makes the

118. See JOHN TEHRANIAN, *WHITEWASHED: AMERICA'S INVISIBLE MIDDLE EASTERN MINORITY* 3 (2009) ("Middle Eastern Americans have faced rising . . . degrees of discrimination over time—a fact highlighted by recent targeted immigration policies, racial profiling, a war on terrorism with a decided racist bent, and growing rates of job discrimination and hate crime."). In *Whitewashed*, Professor Tehranian sought to bring "a Middle Eastern American voice to the discourse on race and law" and "advance the movement beyond the historical black/white paradigm." *Id.* at 5.

119. See Frances Kai-Hwa Wang, *Why Arab Americans Are Pushing for a 'Middle East or North African' Category on the Census*, PBS NEWS (Apr. 28, 2023, at 14:02 ET), <https://www.pbs.org/newshour/nation/why-arab-americans-are-pushing-for-a-middle-east-or-north-african-category-on-the-census> [<https://perma.cc/VQ59-9YQT>].

120. Rachel Marks, Paul Jacobs & Alli Coritz, *Lebanese, Iranian and Egyptian Populations Represented Nearly Half of the MENA Population in 2020 Census*, U.S. CENSUS BUREAU (Sep. 21, 2023), <https://www.census.gov/library/stories/2023/09/2020-census-dhc-a-mena-population.html> [<https://perma.cc/5FSQ-2F2G>].

121. Rachel Marks, Nicholas Jones & Karen Battle, *What Updates to OMB's Race/Ethnicity Standards Mean for the Census Bureau*, U.S. CENSUS BUREAU (Apr. 8, 2024), <https://www.census.gov/newsroom/blogs/random-samplings/2024/04/updates-race-ethnicity-standards.html> [<https://perma.cc/BT68-XVYW>].

122. James Leipold, *Incoming Class of 2023 Is the Most Diverse Ever, But More Work Remains*, L. SCH. ADMISSIONS COUNCIL (Dec. 16, 2024) [hereinafter *Incoming Class of 2023*], <https://www.lsac.org/blog/incoming-class-2023-most-diverse-ever-more-work-remains> [<https://perma.cc/5EZQ-N6YN>].

123. See FACULTY STUDY, *supra* note 10, at B10.

124. See *Incoming Class of 2023*, *supra* note 122.

125. FIONA T. HORNBLOWER ET AL., *WOMEN OF COLOR: A STUDY OF LAW SCHOOL EXPERIENCES* 15 (2020), <https://www.acc.com/sites/default/files/resources/upload/WomenofColor-ASudyofLawSchoolExperiencesReport.pdf> [<https://perma.cc/WBH8-EF4A>].

126. *Id.* at 17.

results hard to generalize reliably to a large population.¹²⁷ However, this seems to be the only survey of its kind, and we hope it is a start, rather than an end.

Among other findings, the 2020 NALP study reveals that women of color are most likely to visit office hours and seek support from faculty.¹²⁸ Other scholarship has established women of color law students often feel most comfortable approaching diverse faculty with course-related and non-course-related questions and concerns.¹²⁹ Women, especially women of color faculty, reportedly spend more time with students than other faculty.¹³⁰ Professor Melissa Murray, a Black legal scholar and former dean, published a 2020 essay contemplating “what it means to cultivate more broadly the conditions under which women can achieve success in law school and in their professional careers.”¹³¹ Murray discussed the “systemic issues that women face in law school and in the profession” and stressed the need to remedy the “underrepresentation of women’s voices in classroom discussions” and in legal education writ large.¹³² In sum, it seems that women faculty, particularly women of color, spend a lot of time with students, and women of color seek support at higher rates than their white male counterparts. These ideas highlight the importance of recruiting and retaining a diverse faculty.

D. Unique Challenges Faced by Diverse Deans

Law school leaders today face a confluence of factors: positionality in an internet age where information and misinformation spreads rapidly, the increase in diverse deans who face unique challenges in addition to traditional challenges, student stress, relatively short tenures, the particularly polarized political climate, and looming questions as to the

127. *Id.* at 158 (“The average response rate among participating schools was 19% and varied from 2% to 68%.”); E-mail from Meera Deo, Professor of L., Sw. L. Sch., to authors (July 18, 2025, at 18:04 ET) (on file with authors).

128. *See, e.g.*, HORNBLOWER, *supra* note 125, at 80 (summarizing the finding that 2/3 of women of color reported having someone they regularly go to for advice compared to 55% percent of white men).

129. *See* Leslie Culver, *White Doors, Black Footsteps: Leveraging “White Privilege” to Benefit Law Students of Color*, 21 J. GENDER, RACE & JUST. 37, 43 (2017) (first citing Carmen G. Gonzalez, *Women of Color in Legal Education: Challenging the Presumption of Incompetence*, 61 FED. LAW. 48, 49–50 (2014); then citing Meera E. Deo, *The Ugly Truth About Legal Academia*, 80 BROOK. L. REV. 943, 990 (2015)).

130. FACULTY STUDY, *supra* note 10, at 71 (“Women (47%) spend more time with students than men (29%) or faculty who selected other responses (28%). Black faculty (52%) and Multiracial faculty (45%) are more likely to spend *more than half* their time with students, compared to other faculty (33–37%).”).

131. Melissa Murray, *Law School in a Different Voice*, WOMEN & L. 131, 132 (2020).

132. *Id.* at 140–41.

impact of artificial intelligence tools on legal education and practice, to name a few. Since early 2025, the firehose of direct attacks by the current administration on higher education—from elimination of DEI and retraction of student loans to threatening to remove accreditation out of the hands of the American Bar Association¹³³—adds even more to an already very full plate for the law school dean.

This essay adds to the body of legal scholarship that tracks the recent increase in diversity—including gender diversity—among law school leaders and also to describe unique challenges for diverse deans in the current era.¹³⁴ One aspect of the polarized political climate is the disproportionate attack on women leaders and faculty,¹³⁵ especially women of color leaders and faculty.¹³⁶

The job of the law school dean is quite challenging.¹³⁷ It involves serving as a middle manager between the parent university, including the President, Provost, and others, or a Board of Regents/Trustees, and the law school.¹³⁸ Law faculty often do not understand the dean's accountability to those entities.¹³⁹ Deans are accountable to many stakeholders, including those with competing interests.¹⁴⁰ Budget

133. See Exec. Order No. 14151, 90 Fed. Reg. 8339 (Jan. 20, 2025); Exec. Order No. 14173, 90 Fed. Reg. 8633 (Jan. 21, 2025); Exec. Order No. 14279, 90 Fed. Reg. 17529 (Apr. 23, 2025); Memorandum from the U.S. Dep't of Just., Off. of the Att'y Gen. on Guidance for Recipients of Fed. Funding Regarding Unlawful Discrimination (July 29, 2025) [hereinafter DOJ Memorandum] (on file with the Rutgers University Law Review).

134. See, e.g., PRESUMED INCOMPETENCE, *supra* note 43, at 221 (“While it’s true that women have become the majority population on campus, earning 60 percent of the undergraduate and half of the PhDs and professional degrees awarded each year[], the aggregate figures fail to reveal the dire situation of women of color.”); Padilla, *Latina Erasure*, *supra* note 23, at 684–85 (“This Article focuses on the comparatively low number of Latina law deans . . . suggest[ing] the surge in the appointment of Black women is not surprising given the Black–white paradigm.”); Padilla, *Women Law Deans*, *supra* note 23, at 3 (“This Article starts with updated data on the number of women law deans, including women of color, and demonstrates increased numbers of both women and women of color in deanships.”).

135. See Kate Zernike, *The Campus Wars Aren’t About Gender . . . Are They?*, N.Y. TIMES (Jan. 31, 2024), <https://www.nytimes.com/2024/01/28/us/colleges-antisemitism-gender.html> [https://perma.cc/E9SQ-J3DG].

136. See Phillip Martin, *Right-Wing Activists Are Targeting Black Scholars, and the Scholars Are Pushing Back*, GBH NEWS (June 28, 2024), <https://www.wgbh.org/news/local/2024-06-27/right-wing-activists-are-targeting-black-scholars-and-the-scholars-are-pushing-back> [https://perma.cc/EBS8-UTFX].

137. See DEAN STUDY, *supra* note 16, at 6–7.

138. See *id.* at 46.

139. See generally Nancy B. Rapoport, “Venn” and the Art of Shared Governance, 35 U. TOL. L. REV. 169, 172–73 (2003) (discussing the role of deans and their interactions with faculty).

140. See Alfred C. Aman, Jr., *Protecting a Space for Creativity: The Role of a Law School Dean in a Research University*, 31 U. TOL. L. REV. 557, 558 (2000).

management and fundraising provide a steady stream of stress.¹⁴¹ In many ways it is a 24/7 job.

Today's additional challenges include concerns related to well-being, inclusion, threats to the rule of law, and equity given the intensity of public discourse on a variety of legal issues.¹⁴² In addition to federal executive orders and Department of Justice memoranda banning diversity, equity, and inclusion ("DEI") efforts,¹⁴³ many—maybe most—deans find themselves contending with state, local, and institutional bans or retraction on DEI.¹⁴⁴ Although there are legal challenges to these efforts, they certainly have led to chaos and drastic change in a short time.¹⁴⁵

Relatedly, this essay and project seek to facilitate transparency and empathy in ways that support the continued recruitment, well-being, and success of underrepresented deans. American higher education *especially* needs strong, committed, *supported* leaders who reflect our diverse society at this moment. Backsliding, particularly in the current political climate, in terms of representation, is a real concern.¹⁴⁶ In the past several years in particular, university leaders who are women of color have faced enormous internal and external scrutiny and backlash, as have women faculty of color in legal academia.¹⁴⁷

Among deans, diverse law school deans face particular challenges. They may find persistently challenging institutional and external cultures regarding diversity. In some cases, they have targets on their

141. See DEAN STUDY, *supra* note 16, at 61–63.

142. See, e.g., Traci Cipriano, *Building Well-Being into the Law School Experience: When, Where, and How*, in INSIGHTS FROM THE FIELD 2, 5 (2024); Jonathan D. Glater, *Criticism, Crises, and Opportunity: 21st Century Challenges for U.S. Law Schools*, 8 CAN. J. COMPAR. & CONTEMP. L. 118, 139–41 (2022).

143. Exec. Order No. 14151, *supra* note 133; Exec. Order No. 14173, *supra* note 133; DOJ Memorandum, *supra* note 133.

144. See Sonel Cutler et al., *Tracking Higher Ed's Dismantling of DEI*, CHRON. HIGHER EDUC. (Feb. 10, 2026), <https://www.chronicle.com/article/tracking-higher-eds-dismantling-of-dei> [<https://perma.cc/2XTV-6ZVL>].

145. See *id.*

146. See Eric Kelderman, *A Year Ago, Women Were the Majority Among Ivy League Presidents. Now Most of Them Have Quit.*, CHRON. HIGHER EDUC. (Aug. 15, 2024), <https://www.chronicle.com/article/a-year-ago-women-were-the-majority-among-ivy-league-presidents-now-most-of-them-have-quit> [<https://perma.cc/ZS74-PZ6P>] (describing the resignations of four out of six women Ivy League presidents, including Nemat Shafik at Columbia University, Elizabeth Magill at the University of Pennsylvania, Claudine Gay of Harvard University, and Martha Pollack at Cornell University).

147. *Id.*; see also Complaint at 4–24, FASORP v. Northwestern Univ., No. 1:24-cv-05558 (N.D. Ill. July 2, 2024) [hereinafter FASORP Complaint] (exemplifying the scrutiny woman in legal academia have faced).

backs once they ascend into leadership.¹⁴⁸ Diverse deans—and faculty alike—have faced physical and even death threats, threats of sexual violence, and harassment.¹⁴⁹ While we cannot argue that only diverse deans face physical, sexual, and death threats, and harassment, there is plenty of research to suggest that minoritized people are more likely to face this kind of behavior.¹⁵⁰

On July 2, 2024, for example, a group called Faculty, Alumni, and Students Opposed to Racial Preferences (“FASORP”) filed a lawsuit alleging that Northwestern University Law School engaged in discrimination against white males in hiring and selection of articles for its Law Review.¹⁵¹ The public filing included sensitive hiring information about well-regarded Black academics and leaders.¹⁵² FASORP failed with a similar lawsuit in 2022, against the New York University Law Review, which at the time was led by a female editor-in-chief.¹⁵³ The federal judge who dismissed that lawsuit called it “‘speculative’ and ‘devoid of any factual support.’”¹⁵⁴ Another recent example of widespread attacks are the threatening text messages sent to women law professors, deans, and students across the country that necessitated an investigation by the Federal Bureau of Investigation.¹⁵⁵

148. See Susan H. Duncan, Karen Lott & Catherine Pettis, *Law School Dean Wanted: A Woman for All Reasons*, 65 VILL. L. REV. 1083, 1099–100 (2021).

149. See Ryan Quinn, *Female Law Faculty, Students Across the Country Are Getting Unsettling Texts*, INSIDE HIGHER ED (Sep. 17, 2024), <https://www.insidehighered.com/news/faculty-issues/diversity-equity/2024/09/17/female-law-faculty-students-are-getting-unsettling> [https://perma.cc/GS26-QLP4] (describing the FBI’s ongoing investigation regarding threatening anonymous text messages sent to female law professors, deans, and students).

150. See Astrid C. Homan & Yasmin Abbaszadeh, *Obstacles for Marginalized Group Members in Obtaining Leadership Positions: Threats and Opportunities*, 62 CURRENT OPS. IN PSYCH. 1, 1–2 (2025).

151. FASORP Complaint, *supra* note 147, at 1, 4, 18.

152. *Id.* at 7–13.

153. Karen Sloan, *NYU Law School Dodges White Man’s Lawsuit Claiming Law Review Discrimination*, REUTERS (May 30, 2024, at 14:35 ET), <https://www.reuters.com/legal/transactional/nyu-law-school-dodges-white-mans-lawsuit-claiming-law-review-discrimination-2024-05-30/> [https://perma.cc/Z653-LG83]; see also *Supreme Court Calls for Response in America First Legal Lawsuit over NYU’s Use of Race and Sex Preferences*, AM. FIRST LEGAL (Feb. 7, 2022), <https://aflegal.org/supreme-court-calls-for-response-in-afl-lawsuit-over-nyus-use-of-race-and-sex-prefences/> [https://perma.cc/3WYK-KJMA] (showing the AFL press release announcing the 2022 filing of a petition for certiorari with the U.S. Supreme Court following the SDNY and Second Circuit’s dismissal of *FASORP v. N.Y.U.*); *Members of the Law Review 2022–2023*, N.Y.U. L. REV., <https://www.nyulawreview.org/wp-content/uploads/2022/09/NYU-Law-Review-Masthead-2022%E2%80%9323-1.pdf> [https://perma.cc/QF23-CQG6] (last visited May 23, 2026) (showing the NYU Law Review masthead for the 2022–2023 academic year).

154. Sloan, *supra* note 153 (quoting U.S. District Judge Vernon Broderick).

155. Quinn, *supra* note 149.

Many diverse deans face these heightened challenges in the face of already overwhelming challenges.¹⁵⁶ Sometimes they inherit messes—feuds with various stakeholders, a disgruntled faculty, dissatisfied students, etc.—that they are expected to clean up.¹⁵⁷ Sometimes they face significant pushback from faculty, alumni, students, and other stakeholders.¹⁵⁸ There are very high expectations for them to swoop in and fix everything all at once.¹⁵⁹ Additionally, it is difficult to assess what makes a “successful” dean. What pleases the Provost and President may not matter at all to internal stakeholders, and vice versa. Finally, there is often a mismatch between their lived experiences and their jobs. A diverse dean—particularly the “first” at an institution—must struggle with how to fit the image and expectations of a dean in ways that contradict their own identities.¹⁶⁰ They must decide how much of their true selves to bring to their work.¹⁶¹

III. MERGING RESEARCH WITH BEST PRACTICES

This piece and proposal for future study builds on valuable scholarship about how diverse women may become law professors, the importance of their presence, how to thrive in the legal academy, and how to pursue leadership opportunities.¹⁶² Some have described the process as a black box, and various groups have sponsored sessions to provide a roadmap for those who are unfamiliar with the process.¹⁶³ There is also valuable scholarship about how to become and thrive as a law dean.¹⁶⁴ This essay marries those two bodies of research by exploring the

156. See generally DEAN STUDY, *supra* note 16 (describing the challenges faced by law school deans).

157. See *id.* at 45–46.

158. See *id.* at 50.

159. See *id.* at 45–46.

160. See Kellye Y. Testy, *Best Practices for Hiring and Retaining a Diverse Law Faculty*, 96 IOWA L. REV. 1707, 1714–15 (2011).

161. See *id.* at 1714–16 (describing an alumni dinner where a major donor asked then-Dean Testy about her husband and she had to decide whether to explain that she was married to a woman).

162. See DEO, *supra* note 6, at 139–69; Swethaa S. Ballakrishnen, Priya Fielding-Singh & Devon Magliozzi, *Intentional Invisibility: Professional Women and the Navigation of Workplace Constraints*, 62 SOCIO. PERSPS. 1, 2–3 (2019).

163. See, e.g., *Section on Women in Legal Education Q&A*, ASS’N AM. L. SCHS., <https://www.aals.org/sections/webinars/wile-qa25/> [<https://perma.cc/PW2Q-MNJP>] (last visited May 23, 2026).

164. See, e.g., Duncan, Lott & Pettis, *supra* note 148, at 1085 (describing “[h]ow women can position themselves to become deans[,]” the strengths women bring to leadership roles, “[u]nique challenges” women deans face and how they address them, and ways deans can support women faculty with gender equity issues).

relatively recent phenomenon of a critical mass of both diverse faculty and diverse deans and how the groups interact with one another.

A. *What Diverse Deans and Diverse Faculty Need to Succeed*

Academics have explored and proposed specific steps to support the success of diverse deans and faculty. Professor Carmen G. González outlined some best practices for deans to support women of color in legal education.¹⁶⁵ These include creating an equitable and inclusive campus climate, hiring a critical mass, mentoring, and educating others about bias in promotion and tenure processes.¹⁶⁶ She also proposed concrete suggestions for the AALS and ABA, including assiduously keeping track of data and consider how accreditation standards may support—or detract from—diversity goals.¹⁶⁷

AALS President Kellye Testy, herself a former dean at two law schools, has articulated similar and additional suggestions for how to recruit and retain diverse faculty that inform how to recruit and retain diverse deans.¹⁶⁸ Some suggestions include making sure there is diversity among members of the appointments committee, offering targeted support to pre-tenure faculty, and making programs and opportunities accessible to all, including, for example, those who are caregivers.¹⁶⁹ These efforts must be intentional and must apply to hiring *and* while in the roles.¹⁷⁰ Diverse deans and diverse faculty need to feel seen, supported, and recognized for their efforts. The dean role is a challenging one, and, for several reasons, it may be more challenging today than ever. Diverse deans face even more roadblocks, including physical and verbal attacks and threats.¹⁷¹

165. Carmen G. Gonzalez, *Women of Color in Legal Education: Challenging the Presumption of Incompetence*, 61 FED. LAW. 48, 54–57 (2014).

166. *Id.*

167. *Id.* at 56–57.

168. See Testy, *supra* note 160, at 1712–16 (discussing how legal education institutions can foster racially diverse faculty through commitment to diversity, action, the searching and hiring process, and retention).

169. See *id.*

170. See *id.* at 1714–16.

171. See Quinn, *supra* note 149 (describing the FBI's ongoing investigation); see also Carl Campanile & Valentina Jaramillo, *Jewish Activists Want CUNY Law Dean Fired, Stripped of Credentials over 'Hate Speech'*, N.Y. POST (June 14, 2023, at 19:58 ET), <https://nypost.com/2023/06/14/jewish-activists-want-cuny-law-dean-fired-over-hate-speech/> [<https://perma.cc/NBE6-BCS3>] (reporting a CUNY Law dean faced backlash, including protests and calls for her removal following a controversial student speech).

B. Commitment to Anti-Racism and Gender Justice

As indicated by the panelist's questions that sparked this essay and project, diverse faculty may expect diverse deans to be uniquely aware of racism and sexism through their own lived experiences and to do something about both. To test the ability of diverse deans to speak out about injustice in one particular context, Bowman and Chambers conducted a study during the summer of 2020 of anti-racism statements made by 186 deans who wrote and shared 199 statements about the deaths of George Floyd and other Black Americans caused by law enforcement.¹⁷² They compared the statements based on three identity characteristics of deans: race and ethnicity, gender, and years of service.¹⁷³ Interested in the extent to which these statements were mere words versus words that invoked or reflected *acts* of anti-racism, they found that most—four out of five—solidarity statements were moderately or substantially anti-racist.¹⁷⁴ They also found that the strength of the statements correlated with the privilege held by the speaker.¹⁷⁵ In other words, the strongest statements were made by white men with the deepest level of experience as deans.¹⁷⁶ It is not surprising that leaders with less privilege may have held back on the promises made in the statements, both because of potential backlash and because they wanted to avoid overpromising.

Bowman and Chambers did not assess what happened *after* the statements were issued. However, it is reasonable that diverse faculty expected—or at least hoped—that the statements would become part of the fabric of law schools. Angela Onwuachi-Willig, one of the deans who curated the Law School Deans Antiracist Clearinghouse, wrote in 2024 that “[t]he publication of these antiracism pronouncements has left open questions about the actions and work that law schools with real commitments to antiracism can and should be taking.”¹⁷⁷ Dean Onwuachi-Willig urges law school leaders to “cultivate antiracist

172. Bowman & Chambers, *supra* note 21, at 589–92.

173. *Id.* at 612.

174. *Id.* at 624. Bowman and Chambers used Ibram X. Kendi's definition of anti-racist, which is built on Kimberlé Williams Crenshaw's work, “[o]ne who is expressing an idea of racial equality, or is actively supporting a policy that leads to racial equality or justice.” *Id.* at 593 (quoting IBRAM X. KENDI, HOW TO BE AN ANTIRACIST 21 (2019)). “Anti-racism is active, not passive,” and it recognizes that “racist policies and practices are the cause of racial inequities.” *Id.* (quoting IBRAM X. KENDI, HOW TO BE AN ANTIRACIST 8–10, 26 (2019)).

175. *Id.* at 629–30.

176. *Id.*

177. Angela Onwuachi-Willig, *Moving Beyond Statements and Good Intentions in U.S. Law Schools*, 75 ALA. L. REV. 691, 698 (2024).

cultures within their law schools.”¹⁷⁸ One way deans can be antiracist is to actively support the success of diverse faculty.¹⁷⁹

Interestingly, just as with the AALS Faculty Study, the number of respondent non-white/Black/Latinx deans was so low that Bowman and Chambers explicitly did not include their responses in the analysis.¹⁸⁰ Of their 186 dean respondents, four were Native American, two were Asian American, one was Asian American and Black, one was Indian American, and one was Iranian American.¹⁸¹ Because this group totaled only nine deans—less than five percent of the total respondent pool—they did not include their results.¹⁸² Again, the intentions are to protect those deans, and because the results are small, they cannot be reliable.¹⁸³ But the effect is to erase their experiences and disregard the time they spent responding to the lengthy survey.

In addition to a commitment to anti-racism related *action* beyond rhetoric as one step toward bridging diverse faculty and deans, we assert that gender justice for law deans and faculty of color begins with equitable workload. Considering service workloads for committees, for example, law school leaders should remedy the existing inequities borne by women of color law professors as compared to their white male counterparts, and by women overall compared to men.¹⁸⁴ The feminization of law school service obligations is a phenomenon that maximizes the workloads of women law professors on committees and in other service work, including administrative roles all the way through deanships themselves.¹⁸⁵

Professor Deo explains in *Unequal Profession* that the law dean role actually becomes less powerful as more women step into the role.¹⁸⁶ This elides the value of taking on a leadership role for women law professors, especially women of color. For a group that is already underrepresented, and overworked in comparison to their white male counterparts,¹⁸⁷ leaving the intensity of a high-profile law dean job to others is an understandable choice, whether it is intentional or not. As explained in

178. *Id.*

179. See Angela Onwuachi-Willig, *Complimentary Discrimination and Complementary Discrimination in Faculty Hiring*, 87 WASH. U. L. REV. 763, 797–99 (2010).

180. Bowman & Chambers, *supra* note 21, at 619.

181. *Id.*

182. *Id.*

183. See *id.*

184. See Andrea A. Curcio & Mary A. Lynch, *Addressing Social Loafing on Faculty Committees*, 67 J. LEGAL EDUC. 242, 258 n.69 (2017).

185. See *id.*; DEO, *supra* note 6, at 114.

186. DEO, *supra* note 6, at 114.

187. See generally FACULTY STUDY, *supra* note 10, at 64–75 (describing job responsibilities and time allocation of law school faculty).

more detail in the next section, all deans should be resisting the gravitational pull of women of color doing more work with less recognition and value in the legal academy. In a profession that educates future practitioners to effectuate “justice,” however imperfect, its leaders should be proactively resisting racial and gender injustice within its own ranks.

C. Familiarity with Research

The scholarship described in this essay has been available for many years. There have been multiple symposia¹⁸⁸ focused on the findings, which are cited regularly in the *Journal of Legal Education*,¹⁸⁹ and it is likely that most diverse faculty are familiar with it through AALS, SALT and other conferences, listserv discussion groups, and other sources. The research is addressed in the various ABA, AALS, and other dean training opportunities such as the Promoting Diversity in Law School Leadership and Law Deans Leadership Academy.¹⁹⁰ Thus, for a dean to not be familiar with the additional challenges faced by women of color faculty and adopt best practices¹⁹¹ to mitigate them in 2026 and beyond is simply unacceptable.

Once a dean assumes their role, it can be difficult for faculty to have an impact on their awareness. Therefore, we propose that recruiting firms ought to be trained in this research and hopefully recruit and facilitate the hiring of deans who will be allies. In considering who is in the best position to quickly effectuate change, we feel the AALS occupies that space. AALS could work with the relatively small number of

188. See, e.g., *Unequal Profession Symposium Addresses Bias in Legal Academia - Identifies Causes & Cures*, SW. L. SCH. (Oct. 25, 2021), <https://www.swlaw.edu/swlawblog/202110/unequal-profession-symposium> [https://perma.cc/4JQA-AAZN]; Meera E. Deo, *Unequal Profession, Unleashed*, 73 RUTGERS U. L. REV. 857 (2021).

189. See, e.g., Akilah Folami, *Book Review of Meera E. Deo, Unequal Profession: Race and Gender in Legal Academia*, 73 J. LEGAL EDUC. 254, 254–56 (2024).

190. See, e.g., *13th Annual Promoting Diversity in Law School Leadership*, VILL. UNIV. CHARLES WIDGER SCH. OF L., <https://www1.villanova.edu/university/law/about/news-events/events/2024/0708.html> [https://perma.cc/E55P-5G88] (last visited May 23, 2026) (event announcement); *Cardozo/Scalia Law Deans Leadership Academy*, ASS'N OF AM. L. SCHS., <https://www.aals.org/symposia/cardozo-scalia-law-deans-leadership-academy/> [https://perma.cc/9LPU-KDDU] (last visited May 23, 2026).

191. Some best practices include assigning diverse committees and spreading the heavier lifts equitably, signaling awareness of bias in teaching evaluations and encouraging promotion and tenure committee members to tread carefully, offering implicit bias training to faculty (and staff), checking in when world events affect a faculty member's family and loved ones, etc. See generally Phoebe S. Lin & Lynne N. Kennette, *Creating an Inclusive Community for BIPOC Faculty: Women of Color in Academia*, 2:246 SN SOC. SCI. (2022) (discussing recommendations to better support BIPOC faculty).

recruiting firms to train the recruiters on the ways in which deans can support diverse faculty. Faculty hiring committees should be informed by the recruiters, and they should be encouraged to ask related questions to candidates.

D. Mutual Support

Diverse deans and diverse faculty may offer mutual support. Diverse faculty need both individualized¹⁹² and systemic¹⁹³ support. It is likely the case that some deans are familiar with unique challenges faced by diverse faculty, and some are not even though they should be. The data on this is easily available and should be discussed openly and frequently among law deans and professors. For example, women, especially women of color, are more likely to spend time on service¹⁹⁴ and student advising,¹⁹⁵ when the two most important metrics for tenure are teaching and scholarship.¹⁹⁶ Moreover, women and especially women of color are more likely to hold positions of lower status such as non-tenure line “clinical” and “practice” professorships or part-time adjunct jobs.¹⁹⁷ Our own experience, and a growing body of data, tells us women faculty are more likely to supervise independent research projects, serve as faculty advisors to student groups both formally and informally, support moot court and mock trial programs, and provide informal advising and mentoring that is largely invisible to other faculty and administrators.¹⁹⁸

There may be various explanations for why women spend more time on service and student advising, including approachability, feeling tacit expectations, a deep commitment to students, and our own interest in that type of labor.¹⁹⁹ Regardless of the reasons, to the extent that all deans—and, in particular, diverse deans—are familiar with that research, there are things they can do to help. For example, they may make sure pre-tenure and non-tenure-line faculty do not feel obligated to do this work. They can also find ways to recognize and reward the work. Perhaps more importantly, they can equalize faculty workloads by recognizing informal student advising and informal advising of identity-

192. See DEO, *supra* note 6, at 20, 154, 159.

193. See *id.* at 167.

194. Panel Discussion, *supra* note 28, at 37:45–38:20; FACULTY STUDY, *supra* note 10, at 69.

195. FACULTY STUDY, *supra* note 10, at 70.

196. Panel Discussion, *supra* note 28, at 38:20–38:40.

197. *Id.* at 07:01–07:17; FACULTY STUDY, *supra* note 10, at 17, 29.

198. See DEO, *supra* note 6, at 58.

199. See Panel Discussion, *supra* note 28, at 37:02. FACULTY STUDY, *supra* note 10, at 69–71. Ahranjani recalls a young attorney and former student sending her an Instagram reel about “Velcro teachers,” or teachers who are followed by students before and after class.

based student groups as official service work that reduces the faculty member's community service load. And, as Professor Gonzalez pointed out in the article *Women of Color in Legal Education: Challenging the Presumption of Incompetence*, they can educate faculty who vote on tenure and promotion about the data around this unseen labor and encourage others to share the workload more equitably.

As far as committee assignments, deans must strike a challenging balance of ensuring a variety of perspectives are represented but also must be sensitive to overburdening faculty members who already take on more service obligations than others. Critical mass—however defined—matters for so many reasons.²⁰⁰ In this context, if there is a critical mass of diverse voices, deans will have an easier time dividing up committee and other work in a way that does not overburden women of color and other diverse faculty.²⁰¹

E. Research Agenda

In this essay, we have taken the initial step of laying out the unique confluence of a moment in time when there is a critical mass of diverse faculty *and* diverse deans.²⁰² This critical mass means that previously impossible to collect data may be reliably collected because the pool is large enough.²⁰³ We understand from Professors Deo and Rachel Moran that building trust is critical to high response rates, which is crucial to providing reliable data that protects the identities of the respondents.²⁰⁴ Through our numerous presentations of this work to various colleagues, individual conversations with key stakeholders, and in this written essay, our goal was to build awareness and trust among colleagues that will yield high receptivity and response rates.

Building from the work described in this essay and in consultation with leading researchers such as Professor Deo and institutions like the AALS, there is a need for continued data collection. Continuation of this work will include partnering with AALS, AccessLex, and individual scholars to design and conduct a quantitative survey of deans and one of faculty regarding their perceptions of expectations for deans, including diverse deans. Quantitative research will seek to distill the different needs of different subgroups and identify common needs. Qualitative work—including focus groups and possibly individual interviews to

200. See Johnson, *supra* note 93, at 1563–64.

201. See *id.*

202. See FACULTY STUDY, *supra* note 10, at 21–22; DEAN STUDY, *supra* note 16, at 20–23.

203. See Johnson, *supra* note 93, at 1559.

204. See E-mail from Meera Deo, *supra* note 27.

unpack exactly what the expectations of diverse faculty are of their deans in general and of diverse deans in particular—would illuminate the quantitative work. Qualitative research through interviews and focus groups will provide nuance and voices behind the numbers. Building from the findings, we hope to propose new infrastructures that ultimately strengthen the condition of both groups, which will have a positive overall effect on law students and the profession.

More research and vigilance are needed if we want to continue to take advantage of this moment to maintain inclusivity and inch toward greater inclusivity in law schools, which ought to be the gatekeepers to a diverse and representative profession. Institutional and individual partners are invited to collaborate.

IV. CONCLUSION

Our hope is that diversity among law faculty and deans will at least remain constant and ideally continue to grow. This essay seeks to illuminate one (large) puzzle piece toward that goal, which is to capitalize on potential structural developments to support both diverse faculty and diverse deans.

Diversity in legal education across deans, faculty, and students has accelerated in recent years.²⁰⁵ As described earlier, overall racial and ethnic diversity among law faculty has increased.²⁰⁶ Today a majority of new full-time faculty²⁰⁷ and law students²⁰⁸ are women.

Allyship is key. The brilliant and universally well-regarded Dean Angela Onwuachi-Willig describes a relevant experience when she was a pre-tenure faculty member. When a (senior white male) associate dean affirmatively conveyed recognition of the problematic nature of teaching evaluations for women of color, she felt relief that allowed her to quiet the voice inside constantly weighing how to balance various identities.²⁰⁹

205. Karen Sloan, *Law School Trends to Watch in 2025*, REUTERS (Jan. 2, 2025, at 06:06 ET), <https://www.reuters.com/legal/legalindustry/law-school-trends-watch-2025-2025-01-02/> [<https://perma.cc/5RR3-GPJV>] (noting that law school applications from diverse students remained steady in the year following the *SFFA v. Harvard* decision and that “racially diverse students are still interested in the law. Applicants are currently up 25%, but the number of Black applicants is up 36% and Hispanic applicants are up 29%.”).

206. Palmer, *supra* note 95.

207. FACULTY STUDY, *supra* note 10, at 28.

208. *Profile of the Legal Profession 2024: Women in the Legal Profession*, A.B.A., <https://www.americanbar.org/news/profile-legal-profession/women/> [<https://perma.cc/ZFE8-WTXV>] (last visited May 23, 2026) (describing that 2019 was the first year when the majority, 51.6%, of all graduates of ABA-accredited law schools were women).

209. Onwuachi-Willig, *supra* note 3, at 149.

In the same essay, she described a subsequent associate dean who left her feeling that her first semester of student teaching evaluations would be crucial to her promotion, which, even though she sailed through the tenure process, caused stress that could have been avoided.²¹⁰ If he and the institution aligned their behavior with the research that shows how important it is for women of color academics to become known in an institution and for them to build up a style in a new environment so as to overcome the presumption of incompetence, it would have made a difference to her ability to focus on what she was hired to do rather than to be hyperaware of things outside her control.²¹¹

Just as deans may be allies to faculty, faculty may serve as allies for both diverse deans and diverse colleagues. While deans hold power over salary, workload, and other matters, faculty members influence a dean's appointment, retention, reputation, and success in the position.²¹² Through service on admissions, hiring, curriculum, colloquium and other important committees, faculty can use their voices to promote equity in small ways that contribute to inclusivity. A pre-tenure faculty member recently shared with Maryam that the day she presented her scholarship as part of a faculty colloquium, the chair made sure lunch was catered from a restaurant that served food from her home country. That small gesture made a huge, positive impression on this faculty member. There are many ways—large and small—that diverse law school leaders and faculty can support one another.

210. *Id.*

211. *Id.*

212. See Harry J. Haynsworth, *Faculty Governance—Reflections of a Retiring Dean*, 35 U. TOL. L. REV. 93, 98 (2003).