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Little Brown Spots on the Notebook Paper: Women as Law School Students

BY BETH L. GOLDSTEIN*

INTRODUCTION

Since the 1980s, law schools have acknowledged their responsibility to provide underrepresented groups access to legal education and the legal profession by increasing recruitment and academic support programs for students not traditionally enrolled in law school. Who constitute these underrepresented people varies across the country, often including racial and ethnic minorities, women, working class people. With their entry to law school, new challenges have emerged centered on these students' inclusion in the academic structures and social environments of law programs. The academic backgrounds and learning styles, personal and family responsibilities, economic constraints, values, and goals of these students frequently contrast with those assumed as normative in the traditional law school. One major institutional response has been the establishment of academic support programs to ease their transition to the academic practices of law school.¹

Academic support programs typically intend to enhance students' academic success as measured by semester exams, retention, and ultimately the bar exam. These programs take several forms, including (1) summer programs that mimic law school classes, assignments and exams

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(e.g., the Council on Legal Education Opportunity six-week summer program); (2) orientation programs that introduce the first year of a particular law school — curriculum, legal writing, test-taking — immediately prior to the start of classes; and (3) yearlong programs that integrate tutorial support and guided practice in study skills, legal writing, classroom participation and test-taking throughout at least the first academic year. Particularly in the first and last models, students receive feedback on the skills and techniques they are developing to use in their highly pressured, graded courses.

The institutional stories about these programs focus on administrative treatments and measures of success: recruitment, retention, class standing, and bar exam passage. The narrative that follows attempts to present students' rival stories of these programs, perspectives that center the social contexts of learning in their analysis of program effectiveness. Students situate their experiences in law school within complexities of gender, race, social class, professional inheritance, and hierarchy which the institutional view tends to gloss as demographic category or academic predictor to be treated, not as lived experience.

Specifically, the goal of this Article is to present, in their own words, the experiences of women students in law school retention programs, women who potentially benefit from these opportunities. To this end, interviews were conducted with sixteen women law students recommended to participate in academic support programs. In discussing these programs, they told complicated stories that located academic retention programs within the environment of law school, within gender and racial narratives. It is a composite dialogue built of these narratives that follows.

For the past twenty-years, scholars of various qualitative research traditions have debated issues of writing, text, and authorial voice. These discussions have raised questions about power inequalities in research, particularly those between the researcher and the researched. Who elicits the story, who tells it and how it is told are all integral to what becomes represented for the readers' consideration. One of the purposes of qualitative research is to hear the point of view of the people who inhabit, experience and construct a particular world. Yet an author's interpretive voice can obstruct their naming of their world.

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For feminists, the issue of interpretive authority is particularly problematic, for our work often involves a contradiction. On the one hand, we seek to empower the women we work with by revaluing their perspectives, their lives, and their art in a world that has systematically ignored or trivialized women's culture. On the other, we hold an explicitly political vision of the structural conditions that lead to particular social behaviors, a vision that our field collaborators, many of whom do not consider themselves feminists, may not recognize as valid.  

While Borland advocates that authors should provide an explicit interpretive commentary, I have chosen not to. The law school students are simultaneously subtle and eloquent in their insights; it is their authorial interpretation that stands. The text that follows can be read as a playscript, with reader as audience who has entered a room of women in conversation with each other. The script asks the reader to listen carefully to the dialogue of these women as critical ways of knowing.

It is dialogue that allows the negotiation of meanings through which the self in relation to other selves and to one's cultural communities is constituted. Dialogue enables us to decipher language by entering what Roland Barthes describes as the "kitchen of meaning," where we "struggle with a certain innocence of objects," as we acknowledge the complexities of language and of that which we take for granted. It is here that we are frequently called to confront the fact that "what everybody knows" is all too often not what everybody knows.

This Article's dialogue is constructed from group and individual interviews conducted collaboratively by Professor Darlene Goring (a law professor) and myself (a professor of educational policy studies) with the sixteen women law students. The women are first, second, and third year law students; some

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4 STORIES LIVES TELL: NARRATIVE AND DIALOGUE IN EDUCATION 7 (Carol Witherell & Nel Noddings eds., 1991) (citation omitted).

5 Professor Goring has a companion piece to this one in this volume of the Kentucky Law Journal entitled Silent Beneficiaries: Affirmative Action and Gender in Law School Academic Support Programs, in which she explores issues of affirmative action as they pertain to women in law school. Darlene C. Goring, Silent Beneficiaries: Affirmative Action and Gender in Law School Academic Support Programs, 84 KY. L.J. 941 (1995-96).
entered law school directly from undergraduate programs, some from work; ten are women of color, the others white; they come from urban and rural backgrounds, from families with and without lawyers among their ranks; they are single, married, divorced, with and without children. They do not all know each other nor are they enrolled in the same programs.

These women have attended different types of academic retention programs for law school students as outlined above. These include (1) the Council on Legal Education Opportunity ("CLEO") program, a six-week, federally-supported summer program for minority and Appalachian students that simulates immersion in law school; (2) a one-week, university-sponsored summer program for students who are about to enter law school and have been identified as potentially at academic risk; and (3) weekly academic support programs that occur simultaneous to the law school academic year. The programs these women attend/ed enroll approximately equal numbers of women and men and typically have a majority of people of color. Participation in all programs is voluntary and by invitation only; students may choose to discontinue participation at any time.

The verbatim transcripts of over 170 pages have been edited with respect for the women's narratives, their disagreements, varied and overlapping experiences. The women are highly articulate; as interviewers we suggested topics for them to explore, listened and only occasionally sought clarification. I have chosen to write this textual composite exclusively from the interview narratives with respect for the students' conversational tone, their articulation of issues, their ability to expose the complexity of their law school experiences. What structure I have imposed orders their exploration of issues: the women introduce themselves, describe the opportunities offered by academic retention programs, the stigmas attached to being female, being African-American, and being labeled academically-at-risk, and their subsequent academic, professional and personal negotiations within the law school environment. While the women's names are pseudonyms, their words are their own.

Characters:
Ann, 2L, Euro-American, mid20s
Ricki, 1L, Euro-American, mid30s

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I. INTRODUCING LAW AS PERSONAL: 
GOALS, CHALLENGES, BALANCE

Ricki: From an academic standpoint, I definitely want to be in the top third [of my law school class]. I would like to hone my oral advocacy-type skills because I never had a chance to use them very much. I was always able in my jobs and the things I had before to express myself very well by the written word, but I’ve never really had a forum in which to develop the “think on your feet” type skills that I want to develop here. . . . I want to be able to go out and say I took all the skills I had when I got here, added a whole new facet and then be able to have even more, something more to offer when I get out than just being twenty-five and having gone straight to school. I got a whole other facet having been out in the work force for about seven years. I want to be able to meld those two together to be able to market myself more desirably.

Ann: It is so hard to single yourself out in law school. Seventy people in class and who are you? You’re one little person and it’s all anonymous so no one knows my personality really, and I get called on for five minutes in a class every other week maybe. If you don’t do anything you could graduate from this law school with nothing. You could have an okay GPA [grade point average] and you could have a law degree but who were you there and what can that do for you now? You have to make an effort to make some kind of an established relationship with the people here because the institution on its own is not really very helpful. I’ve got a law degree but everyone’s got a law degree.
Tracy: Academically, I would like to have all B's. I would just like to do well. I don’t want to be a lawyer and that’s all that I am, that’s all that you know, I don’t have a life, I don’t have a family or whatever. My relationship with God is very important, and I feel like I’m beginning to grow and I don’t want to have to put that on hold because I’ve got to study or I’ve got a final, or when you start practicing saying, can’t go to church, got to go to work. I want there to be a balance, I want the networks, I eventually want to go into politics on a national level, so I want to practice the law, then change the law, so to speak. I want to have the background and then do something else.

Barb: Because I’m divorced, and I raised children for sixteen years, and I have to make a living. That’s about what it boils down to. And at my age you can’t just, well, a job at J.C. Penney’s is not going to offer any security for retirement so I had to look at something that would be something I could do and take with me and not just a job. It would have to be a career and something that could last potentially forever, and make money. And, give me money to retire on, or whenever I’m not able to work. Whereas a job at J.C. Penney’s would not provide that.

I was mostly a mother [before law school] . . . I know a lot of lawyers. My dad is a lawyer, I have two brothers-in-law who are lawyers. I’ve just always liked history and thinking and talking, and sociology and psychology-type things. I needed something I could jump into pretty quickly. I had to be, that was the practical aspect.

You think of these kids. I don’t have the twenty years to build up a practice. I gave that twenty years to raising children.

Jesse: I’ve always been taught to just do the best I can, that’s success for me, just as long as I know that I’ve done the very best that I can do. As far as success socially, just as Tracy had said, my main emphasis is not to be just a lawyer. I want to give back to my community, I want to be a strong and positive influence to people that I feel that just come into this world with an edge as far as having to do double the work to keep up with everyone else. I want to definitely show that you can beat all the odds and still succeed, whatever you define success as.

Robin: Budgeting my time, living on my own now for the first time and I’m trying to balance school plus responsibility. I have been babied, you know, everything was done for me and now I’m on my own, I’m having to do it myself.
Shira: The biggest thing that concerns me is the balance between this and my personal life. I do have someone in my life who is very important to me, very permanent and the idea of a family is a feeling you get. I'm looking ahead and thinking when could I possibly do that, can't do it this year, can't do it next year, no, before graduation, no, first year of practice, no. I'm going to be twenty-seven years old when I get out of law school and I don't want to be forty years old and starting my family.

Ann: [My mentor] has a family, and she's a law professor, and she's still married and she takes care of her kids and she is for me when I look at it I say, that is what I'd like to do somehow. Meld both professional and personal and she's been able to do that. And of course her profession is the highest of high, and I want to get there [but] I don't know if I'll be able to do it so well, but she has.

Ricki: I kind of categorized a lot of things in my life and I've made a lot choices, and I firmly believe that you can't have everything, so I want a career, and I have a husband. I do not want children. By nature, I'm a very competitive person. I don't want to get caught up in the daily grind of trying to prove. I found that I kind of did that a little bit to start with. It's like, I'm going to kick someone's, so and so's, butt over here today, and I don't want to be caught up in the competitive daily aspects of it because, really, that's not the important part. . . I don't want to get caught up in who's got the bigger whatever, for lack of a better euphemism . . .

Ann: The answer is none of us.

Ricki: I don't know why I was raised like this. I tend to get caught up in that competitive stuff, you know competition with the men. I have an inferiority complex that I'm a girl.

Meg: When I get through this first semester and really see what is going on I think I'll be able to make it. But then I've got other concerns outside of the law school . . . because I don't get to see my husband very much. Law school is very important to me but it's not the most important thing to me.

Interviewer: How do you balance the two sides of your life?
**Meg:** I'm not doing very good right now. I really don’t know. It’s just one of those things where you just, you pray for the weekend. That it's coming really soon and everything will be okay.

**Dana:** I think the biggest thing for me is getting the information I need from class to be able to put together something so that I will be able to understand what I’m supposed to understand by the end of the semester for finals.

**Val:** Well, Dana and Meg both said things that apply to me because I worry every day. I am so worried that I’m going to miss something. Did I get everything in contracts today that I’m going to need to know for the test? It’s more of a challenge because you’re kind of going into it blind, you don’t know exactly. And, too, I worry about my marriage because I just got married and that was one of my big things when we got engaged. I said, “I’m starting law school and this is the hardest year of law school and everybody tells me that the first year is your hardest year of marriage.” And he’s really a great person and he’s really understanding and he says, “No, your school comes first and that’s what you need to do.” So I’m maybe more on task than I would have been if I didn’t have somebody to go home to.

**Deb:** I think the greatest challenge is trying to balance everything, trying to find time for the homework, time for the husband, time for the child. There is just not enough hours in the day to try and get everything done and get it done quality. I can read, read the material and brief it but did I really get the concept? Usually not. I can’t spend quality time with my husband because I’m studying when I’m home, and I don’t have a lot of time for my son, he’s four years old. I think it is going to take a little bit of time and a little bit of practice and then try to balance it.

**Tracy:** It’s not about being a B student for anybody else, it’s for me personally. I’ve always wanted to be a lawyer. And then balancing the personal life and living on your own and having to pay the bills. Also just taking the success in stride, because I know it’s going to come. I don’t have any doubt that I am not going to be successful. But I want to take it in stride and I don’t want to be a woman who other people find to be intimidating. I feel like some men get caught up in a woman’s success and they can’t handle it. I know that that’s their problem, but I don’t want to come off that way, you know.
[After one year of law school, Adena reflects on changes in herself:] Not to say that I’m taking it easy, but I think the first year there is so much stress. There is all that pressure to be in a certain percentile your first year, everybody is talking about jobs, you have to make this, you have to make that and I no longer feel that pressure, I’m no longer afraid, and I even talk in class. I feel like I have more work, I’m actually already behind, but I’m just not afraid anymore, I just take it as it comes, I enjoy it, and two more years hopefully.

Jen: How have I changed? I guess I’m a little more assertive in class and out of class too, actually. I feel like I’m the same person. I don’t let it affect me like it did. The first year, the first semester I thought this was the worse place to be, I felt that I was so much older than everybody else, that I was just out of place and I don’t feel that way as much now.

Interviewer: How about this question of balancing?

Jen: It was especially hard for me because my husband was in another state. I had my child here and I had to kind of be a single parent and do law school and that was exceptionally hard. I don’t know if I did it very well. I did it, but I don’t know that I did it very well. Sometimes like, nighttime story time was a case book. It put her to sleep.

Jesse: Well, I feel liberated. After coming to law school and having a baby, having to take finals, I feel like I can do anything. So I’m just, needless to say, chilling and I’m going to coast on to my degree, and hopefully make a difference.

Jen: I would disagree with some of the things that some of the 1L’s have said as far as grades and things like that because, although they are important, I think that other things matter more when you get out in the real world in terms of networking and connections because some people don’t even have the right grades but they are working for some of the top law firms.

Barb: Life. [Traditional age students] think it revolves around them. I guess I get particularly caught up in family law issues. They know nothing about any of it and I’ve been through it all. Yet they say what should be done and what men should do and what women should do when it comes to divorcing, child custody, splitting up the proceeds and all that sort of thing. They don’t have a very realistic view of life.
II. ACADEMIC RETENTION PROGRAMS: OPPORTUNITIES FOR SUPPORTED LEARNING

Shira: What I got out of [the academic retention program] basically is it took away the fear. I realize that you can speak in class and say something entirely stupid and probably no one is even going to notice because they are just so glad that the professor didn’t call on them, no matter what you say. A professor asked me a question the other day, and it was that last three minutes of class where your brain starts overloading, you’re thinking about lunch and somehow this answer came spilling out of my mouth and I guess it was right because nobody laughed and after that I couldn’t even remember what the question had been.

Ricki: I was just glad to have the fear taken out of the whole experience. My favorite part is the fact we’ve got this little rat pack that kinda walks around from class to class. And it’s expanded, I mean, it’s not like we are totally exclusive. We had this nice little group of people the first day. You don’t walk in knowing absolutely no one and you feel weird, “I don’t know anybody, who am I going to ask if I get lost?”

Adena: The most important thing that I learned was how to write an examination answer. We went through the stages. The professor taught us how to do the outline, that really cinched it for me, especially the second semester, I could see where I went wrong the first semester.

Deb: I think I had a lot more confidence coming into school since I had been out for seven years and then the Summer Preparatory Program kind of gave me the little kick start I needed. I felt pretty confident the first week. I felt pretty at ease. I mean, you saw me the first week and you’re like, “How are things going” and I’m like, “Great.” You were like, “No!” I think I learned a lot of beneficial things. Even the afternoon sessions with the 2L’s were beneficial. They answered a lot of questions that we had, just generally, about the law school. About how the classes are set up, even specific things about answering questions when the professor calls on you. “What do you do if you don’t know the answer?”

Jen: A lot of people started questioning the program because of the hours that we had to be here, the time restraints. But I think it was helpful, more so because it gave us one individual, the professor that ran that program, that we could talk to about anything that went on. I mean not just necessarily coping with classes but just like family situations or whatever. It’s good to have someone who has gone through the experi-
ence and knows. Somebody like this particular professor who had a family when she went through law school so she could understand and relate to what it's like to go through law school with a family. The second semester was more beneficial for me because we did a lot more writing and she did a lot more critiquing of the writing.

Val: When I got here, I thought that everybody was invited to the [summer preparatory] program and I thought, "Wow, no one else took them up on this." But then when we found out the truth, I felt really lucky that I was invited to come. I was terrified this summer by coming to law school because it was just something I didn’t know if I could do it or not. After a week of this I felt a whole lot better and I think too that Kerana mentioned that we made friends and that sounds silly but I felt so much better walking to that classroom knowing that my friends were there. I wonder how people who didn’t go through that are doing right now. Because I came in and I knew how to do a brief and that was good because when the professors took off with you, you kind of knew what to do.

Jen: I was one that didn’t have any [summer preparation]. I walked in there cold because they didn’t start the academic [support] until after classes had started. It was very terrifying. The first day they tell you, you have to read one hundred pages and do this brief, and they give you a sheet of paper and say, brief these cases, and I had no clue. It was awful. It was really awful.

Dana: It boosted my confidence. It kept me from wanting to quit the first week. I think that if I had been unprepared and didn’t have that confidence going into the first week of actual classes I would have wanted to just give up probably right then. I would have felt just claustrophobic inside because of all the books teachers were pushing down on me. I felt more relaxed and I got to know people that since we were together all day long for a week I felt that I knew those people so much more better than if I had taken months of school to get to know them.

Val: I remember the first case, I took it to my husband and I said, look at this. I can’t do this. He’s an engineer and he said, “Oh yes you can.” But it’s, I mean, that was very scary. . . . you must know this and you must write these briefs and I thought I have never written a brief in my life but I did.
**Tali:** When I went into [the retention program after failing my first semester] I felt really, really isolated, really alone. I was also very concerned about how the men in our class viewed me. I didn’t want them to be condescending to me after they seemed to treat me fairly well. And I was afraid to let anyone know that I had done badly because I didn’t want them to treat me that way. So that group [in the retention program] let me know that I wasn’t alone, there were other people, if not struggling, who understood. The program really helped me. Basically my problem was I didn’t know how to write a law school exam. Also, I would get very nervous in exams, like I could feel in the first minute my mind would go blank, I could feel myself start to flush, I would get hot, like my heart is going crazy. It helped me by practicing taking exams and learning what the professors were looking for.

**Kate:** I was in the CLEO program. It’s a program whose existence is in question right now. It targets minority students and Appalachian students. It’s intensive — a six week program. It takes you and puts you in a top law school setting. We had two classes that we went through daily, day after day, getting called on, taking exams. I didn’t necessarily enjoy the experience while I was going through it but the result was that it put me more at ease with a lot of my fellow students when I got here because I thought that I knew what to expect. I already knew how to outline and do all of that stuff and I wasn’t so frightened to be called upon. Plus it gave me a stipend which is great so I’m not so much in debt as some of my fellow law students.

**Tracy:** The CLEO Program was the most vigorous academic experience I ever had in my life. As far as being prepared for class, being prepared to answer questions from professors, being able to take exams, I mean we did everything. They taught us to brief, they taught us how to use Westlaw, they taught us how to do research. We took five classes, we had a midterm, we had a final, we had study sessions, we had everything, so, it was basically six weeks of hell, was what it was.

You cannot equate law school with anything else or any other kind of education because it is totally different as far as the amount of reading and being prepared for class, and I mean the socratic method... It kicked in that you need to be serious [about] what you are doing and that you have to study every night, you can’t just wait until the last minute to do everything. [The CLEO Program] also reaffirmed that this is what I really want to do and that if it’s something that you want to do, then you make the time. I also thought that it was important that it was a preparation class to keep you from failing instead of waiting until you
failed and then helping you to get out of the hole. So no one is stigmatized to say, “Well, you know, I failed all my classes and this is why I’m here.” You see a lot of help programs and you don’t want to go because you think somebody may see you going and think, “She needs help, that’s why she is going to this class.”

Robin: I have test anxiety beyond belief, so any training that can help me calm down, the better. . . . Repetition over and over to get me to calm down, great.

Shira: I guess what I had hoped to get out of it, continuing to go every week, is some kind of immediate feedback because we don’t get any of that unless we speak in class and the professor says, “that’s right.”

Tracy: From seeing the outline it seems like we are not going to be doing the same thing every week, so that’s going to help me progress and get ready to take the exams, that’s what I need. The feedback is important and also the opportunity to ask questions about how to do things in law school in general.

Barb: When I went to the first [academic support] class, the first meeting and I can’t really remember but it was something on how to outline, how to brief which was very informative, but it just didn’t teach it. It was one more sign to me to take time to figure out what the heck I was supposed to do with it and I was too totally overwhelmed with every other class being that way at the time. Basically everything was just left to us to figure out. It wasn’t taught. I just didn’t have time to do it, whatever it was that I was supposed to do at that first meeting, I didn’t have time to do it and that is why I never came back.

Ann: If you have been accepted to law school well really then isn’t that all that was needed? Once you’re here, you may be the last student in class, but you need to be able to pass your classes and if you can’t, then why were you accepted? And then you think that maybe we need to be getting people through law school. This is horrible of me to say that I don’t think the job is to be getting people through law school — the job is to be making lawyers and if they can do it in class then they’ll do it and they’ll do it in the world. But how else did you get into law school? You should have been qualified to get here before you got here to some degree.

[Because of the invitation to attend the academic support group, y]ou have people coming to law school saying, “I’m challenged more than
anyone else. This class is so hard. This class must be harder for me than it is for anyone else in class. Oh, they had such a good answer in class, I could never have thought of that.” I mean, . . . you feel immediately that you could not do well. So you need to make it voluntary across the board and then people will drop out if they don’t need it. And if they need it, they stay in. Well wasn’t that the goal? People who feel that they need help. What difference does it make that they went to Rawlins College or they went to Harvard or whatever? I think the stigma of it far outweighs [the value].

*Interviewer:* Why were you invited to join the retention program?

*Barb:* I assumed [I was asked] because I had been out of school for a long time. I guess they thought I needed some kind of refresher in study habits or something, I really don’t know. I didn’t realize until I came to the meeting how few people either were asked or had bothered to come. [It was] a small group. Minorities, either agewise or color or someone who had been out of school for a long time.

*Interviewer:* Did that make any difference to you as to how you felt to walk into the program?

*Barb:* Yes. It made me feel like I had been picked out as one of the dumb ones and it did make me wonder what the criteria was.

*Interviewer:* Had you had confidence about yourself coming into the program?

*Barb:* Into law school? Oh, yes. It would be helpful to me, I know, if I would discuss with people more because the legal terminology and all is hard to get a grip on and when you talk about it, you learn it better. I learned that this summer when I was clerking but this was one place [law school] where the age difference really made me different. I had no group, no friends, nobody to talk with so I didn’t learn that part of it very well.

III. STIGMATIZED: LIVING AS DUMMIES, LDs AND “REMS”

*Val:* I think I was a lot like Meg, I couldn’t go to bed I was so excited but I think I must have been clueless because it did not occur to me that we were any different than anybody else. Liz said, “Are we the remedial class?” Oh, God, remedial? But I clued in to what was going on,
and I guess on a Wednesday of that week I went home and I was telling
my husband I said, “Richard, I think I’m dumb. We’re the dummies.” He
said, “No, Val, you’re not dummies. If you were dumb you wouldn’t
have gotten in.”

_Meg:_ I was nervous all summer long, I was like Val, I was worried.
I was bugging my husband all to death about coming, then I got the letter
and I thought it was a godsend and when I got here I was like, oh, there
is only twenty of us, and my confidence started to go down after a couple
of days and I thought, “Well, you know, does this mean that I’m dumb
and that’s why I’m in this program?” But I’m over that. You get over it,
but it’s just I was disappointed to learn that. And then I was thinking
what if other people learn about this. Are we the, what I call the rem
class or remedial class. Are we the remedial class or are we? I didn’t
know how to handle that at first.

Well, once I started learning and realized that I can learn, I started
getting relaxed and by the time school started I was like, it’s just too bad
they didn’t go through it because you could just see them scampering
around. We were just pretty relaxed.

_Dana:_ The tutors described what [admissions to the retention
programs] went by, “Well, it’s for people with low GPA, low LSAT
[Law School Aptitude Test], people who have never had attorneys in
their families, people from minorities or disadvantaged background,” and
I kept trying to tell myself that the reason I was in this group was
because I didn’t have any attorneys in this family and I thought, that
must be why I’m in here. And then I did feel kind of slower than people
around me when class first started and everybody came. I was like, well,
I wonder if these people are going to catch on to class. And if I hadn’t
gone to that group, would I still be behind, and I just was like trying to
compare my IQ to theirs and it made me feel real self-conscious for a
while. But now after I’ve seen the way a lot of people act and talk in
class, I know that I’m not more or less at a disadvantage than they are.
So it took my self-esteem down a little but I got over it. I recovered.

_Ann:_ I couldn’t wait to get started because I felt proud to be going
and then I got a letter that said that I had been selected or chosen I think
it was or qualified — one of those words that kind of led me to question
a little bit — to join a study group. And, of course, I’m not unaware and
so I thought, that word, that word tells me something . . . Wonder what
qualified me for this study group? . . . I had been a good student all my
life and yet, also all my life I had been considered, I had initially been
perceived as someone who wouldn’t do well in school because I figured
my socio-economic background because I had been poor most of my life
and so I was often put in remedial classes at first and then transferred to
the upper classes. When I started high school, my junior year in high
school they would not put me into the honors program in English
although I had done so well on my scores and everything until a cousin
of mine who was an attorney came and said, “You know, this is a
shame.” And it was because I was from the county and not the fact that
I was basically poverty stricken and I wouldn’t do well in these classes.
And yet I did and I got the AP English award when I graduated. I had
always done well but they, people, have always been reluctant for some
reason to perceive me as doing well in school . . . So I said, “This is my
background. I had a [national foundation] scholarship. I didn’t just
compete against people from home. I competed against people all over
the country and yet so I said, what qualifies me for the study group?
I said, well, I would be silly not to come because obviously the
institution thinks I will not do well in law school. I should take that as
some kind of wisdom . . . and pick up on it and go to the study group.
You know, of course I’m going to go and I need all the help I can get
and whatever.
So I went to the study group. I did, I went. I went a few
times. . .
[T]hey taught me how to study and I was very offended by that. I had
done well on my LSAT, I had done well in school. I knew how to study
and I was, “Oh, I can’t tell you how offended I was . . . Why are they
teaching me how to study?” . . . And then that carried over into classes
and that was the worse part because my confidence has never been the
greatest simply because I always, my ability has always been questioned.
So when I would get to the class, I could not respond well in class. I
would get so nervous about being called on because I was afraid
everyone would know that I’m dumb. Everyone here at school knows that
I’m dumb. If I talk in class all the students will know that I’m dumb. I
realized that it would be pretty bad the next day after the study [group]
was over. I would really be more insecure and just uncomfortable with
being in a study group. And I never perceived any of the people actually
who were assigned to it as being any more or less intelligent than
me. . . So I opted out.

Kerana: I remember the day we were drilling the tutor about why we
were in here and she told us the same thing about family background and
if you had been out of school, and I did the same thing Dana did. That
first day it bothered me but after going home I was like, well I wouldn’t
be here if they thought I was dumb. I just took it like an advantage, and
I was like if they were going to give me this extra help, this extra push to get through, and if other people don’t have it, I’m just going to take it.

*Ann:* I don’t know why someone would choose to study with people who have been deemed by the law school as not a success, you know. And they wouldn’t want to study with me neither probably. They probably would look at me as being someone who would not do well in law school. I want to attach myself to someone who will do well in law school, and I think that is probably smart. That’s one thing and it sounds a little elitist and I don’t like to talk like that, it’s not fair really. I do think it would be unrealistic to say that we all saw each other and thought, “Oh, here are the smartest people in law school.” You know we didn’t think that. I think we all perceived each other as probably being the least smart people in law school . . . .

*Val:* I felt guilty because I thought it’s not fair that I get this advantage and everybody else in the class doesn’t and Richard said, “You’ve got to look at it this way. Those people have advantages over you in some way.” And he said, “This is just to help you. A little push to maybe make the playing field even.” And after that I was like, yeah, the playing field is even now.

*Deb:* Well, I had kind of figured it out when I got here and I started counting the people and I was like, “Humm, I think we’re the dummies.” And it bothered me.

*Ricki:* We had a nickname we called ourselves.

*Robin:* What was that, oh yeah, the remedial group. The LDs. We had a big discussion, we sat around the table trying to figure out why we’re here, do you know?

*Deb:* I went home and I talked to my husband and it did bother me. And actually it probably still does even though I’m glad I got the advantage. That is probably why I feel like I have to answer questions in class is because it’s kind of this thing in the back of my head that well, you shouldn’t be here, you know. And so I’m trying to prove that I deserve to be here just as much as the guy that is sitting next to me.

*Barb:* When I walked in that classroom and saw who was in there, I felt a stigma.
Interviewer: How so?

Barb: You would have had to have been there.

Interviewer: Unfortunately, I wasn’t. Can you describe it for me?

Barb: Well, it just made me feel like, why was I picked, just because of the assortment of people who were there. I was wondering why all of us were picked. What, like, did we, was our GPA something different or were we all stupid, you know. I don’t know, but that’s the way I felt. I don’t know. Prejudice on my part. Walking into that room didn’t strike me as being the best and the brightest, looking at the people who were there. Just general impression, just not fact.

Jen: [When I got the letter inviting me to join the Academic Support Program] I knew immediately what it was about. I was immediately angry. It was just like this is a program for you because we don’t think you can make it here and that is the way I felt . . . I knew that everybody didn’t receive one of those letters and I felt really bad about it. I had to talk to my husband a couple of times and he was like, “Don’t lose this advantage just because of pride.” Because I was like, I’m not going to go. I’m just going to show them I’m going to do this on my own but what he said made sense so I did come and participate and sometimes I didn’t want to come. Last year it was the LD class and this year it is the rem class but everyone talks about, “are you going to LD?”

Kate: I was, to be honest, searching out ways to get some money so I wouldn’t be in debt. So I saw the CLEO program and I applied to it. I was like, yeah, I can get through this program. I get that stipend. I never felt disadvantaged or like I was less intelligent. It might be because I went to undergrad that’s the same type of program. It was like we’re trying to draw in students that might not necessarily get accepted or do well. So for me it was just one more step.

Dana: I try to compare what people who weren’t in the [retention] program, how they are doing and how they are understanding with what I’m doing now and I just wonder if I’m up to par a lot of time. But I still think about that sometimes, that I’m not quite as smart as I thought I was when I first came in. I wasn’t full of myself but I’d worked really really hard in undergrad . . . and I had a 4.0 [GPA] every single semester of my college career except for one and I just felt like I was the smartest person or next to the smartest person in the class. I guess when I was put in the,
invited to the program that it kind of . . . made me think maybe I'm not as smart as I always thought I was or maybe I was fooling myself and I was only memorizing and not really actually gaining knowledge.

Interviewer: I find it interesting that when you talk about stigma, you're talking about whether or not you are smart enough as opposed to whether or not you have certain skills to help you cope with a particular unique environment. Why do you think in terms of your intellect as opposed to maybe a deficit in some other areas?

Dana: Because when I think of an attorney, I think of a good attorney, I think of brilliant or superior in knowledge. I think not as much as argumentative skills or writing skills but I think of smarts. That's the first thing that hits me when I watch TV or I meet an attorney. The way they present themselves.

Val: When I always thought of law school I thought everybody here was really brilliant, you know. And I worried that I would not be smart enough to get here. And then I did and I still feel like some fluke. But as far as feeling stigmatized, I really don't think about that because I did really well in school before I got here so I didn't think I was the smartest person but I didn't think I was dumb either. We almost guarded this secret jealously.

Dana: We talk in codes.

Val: We're talking in codes, really. But it didn't make me feel bad about myself. Because we don't want them to know. They might think we have an advantage.

[Laughter]

Deb: Well, the other day we were in the Academic Support Program and it was getting ready to start and this one guy who just happened to be leaving the class turned around and he was like, "Is this another class, am I missing the class?" He was asking. And I was thinking, "Oh, God don't answer him." I might have blacked out or something like, don't tell him. I just didn't want him to know.

Deb: Once they would know it would be like "Oh, it's either a class for the black people." That's probably what they would think first and then they would see a few white people in there and they'd think, "Oh,
maybe they must be LD or something and I don’t want to be stigmatized."

Meg: . . . . I noticed that not all of us that was in the Summer Preparatory Program are coming to Academic Support Program. I know in talking to one particular person it’s, “Everybody else is here and if I go to this then I really am admitting that I’m not as good as everybody else so I’m going to try to make it without you guys. Now that everyone else is here they might find out that I was actually going to this class.” It was okay once it was just the eighteen of us during the summer but once everyone got here and actually could see that you were going to something different then it became a problem.

Kerana: I don’t have a problem with it. I don’t care who knows.
If this program actually ends up being a help to all of us, they’re going to wish they had been in there and they’re going to be like, “That’s not fair because you had this and I didn’t and that’s the reason you did better than me on this.” I don’t care. I’ll tell them if they ask me, I don’t care. And I don’t think we’re stigmatized as far as the fact that we’re in this program because I think if the admissions committee didn’t think we were qualified or didn’t think we could make it, why would they accept us into the university in the first place . . . . I just look at it as an added advantage, kind of like Val. It’s kind of like sacred but I don’t mind telling anybody.

Deb: [If we opened it to everyone] then it would be just another class. We wouldn’t feel special.

Kerana: I think it would lose its value as well because once you put a whole bunch of people in this program it loses the personality because we’ve gotten to know all of these people and we’ve become comfortable and help out each other. It’s a safety net, security, and I’m sure if you felt bad about something you could go to one of them or when we’re in one of the classes say, “Well, hey, I’m feeling this way about property” or whatever and talk about it.

Deb: Also, I think it would lose its value because all of us are in the program because we had special needs. There was something there in an area that we had a special need and I think if you open it up to everyone we’ll just get lost in the shuffle because we’ll still have that special need but it won’t be met.
Val: We have a club going, and these are my friends, and I don’t mind asking questions and making a doofus out of myself in front of you guys because I know you’re not going to think I’m some dork, you know. We’re real comfortable with each other and we’re all serious about what we’re doing and if other people came into it maybe they wouldn’t be as serious. I don’t feel the competitiveness with other people in class that I’ve heard about. People tell me that, oh, the law school is just cutthroat, it’s so competitive. And maybe it is for certain people, but I don’t feel like I want to beat anybody. And I don’t feel like any of my friends feel that way either. I think we are all kind of on a mission together, we just want to get through it together. Do you guys feel that way?

Dana: I never felt any kind of animosity toward anyone and I always felt like I could trust them. But just in three weeks I have already started to feel out the kind of people that would be cutthroat and are competitive. I can just about tell you who they are right now but I never felt that way in the small group that we were in. And I think that if you did open it up to everyone, then you would draw in those kinds of people and they would bust up a lot of the closeness and comfortableness of the group that we had before class started.

Tali: I felt like I let myself down. Like I was so concerned about, like embarrassing myself. Now I don’t know why, it seemed silly, but I was traumatized by the whole thing, and I felt like I kind’ve sneaked into the room one afternoon a week. No one in the group really talked about anything outside of the group. I never told any of my friends that I was doing it.

Jesse: You came in the second semester. For those of us who got our letter ahead of time, it was like, okay, you’re in here but you barely got in here, so just come on to this program. You have been chosen to participate. I’m like, okay, after I get off my high of making it in law school, now they are telling me look, you need help from jump. But after you get over that, then you realize that it’s more help and you are going to continue going regardless of whether you feel like it’s LD or not.

Adena: When I got the welcoming letter, I was actually happy about that, because, the intimidation, I thought, oh my goodness, I don’t know about American courts, I never took a civics class in America. This will really help me. After getting in there, how come we were singled out? Isn’t that the truth, Shira, how come we were singled out? We were all
so close, you know, one big happy family. But I must say, one of the members from the Academic Support Program, he asked me, “Oh! are you going to Academic Support?” and it was in class. I couldn’t tell him because I didn’t want him to know that I was embarrassed, I was like God, you don’t have to say that.

**Jesse:** Yeah, we would not want the mainstream to know. We don’t want a sign posted, “Academic Support Program members come here.”

**Adena:** It was conveniently a little room tucked away so we could sneak in.

**Jesse:** Plus it’s late in the day when everybody is breaking their neck to get out the door anyway.

**Tracy:** I guess what was running across my mind is that when other people see us coming to these academic success programs, what are they going to think. Do they automatically put group names on people who are attending these classes, “Oh, she’s here because she is this, or she’s here because she’s female, or she is here because she is black and she needs us to help her out?” . . . Personally I don’t care, but I know people always put people in groups. . . . And then the other people will wonder, “Why wasn’t I asked to go to this group, is it because I’m a white male?” I mean that’s their tough luck, I don’t care, but I think that it exists.

**Jesse:** They may say, “Well you’re here because this or whatever,” but I would rather them group me in that certain thing and get the extra help and then go ahead and get my grades. Okay, if you are going to label me as a token I might as well be a good one as far as that.

### IV. Minorities in Law School: Being Female, Being Black

**Kate:** Law is an aggressive field. In many ways that suits the male mentality more than the female mentality in a sense. I started working this summer and that has helped me somewhat to see what actually working out in the real world is like. It’s not anything like law school. I think that is why the male, particularly the white male, walks around, like you said, with this attitude. I think we as woman think differently. I’m not necessarily looking to pummel my opponent. I want justice. Justice doesn’t necessarily mean always beating your opponent into a
But I think a lot of the male students and I think law school generally teaches that. How many times have you heard that it’s an adversarial system, and forget about negotiation or anything like that? It’s how can I win and how can I win the most and I find that a little bit nerve-wracking sometimes.

**Dana:** I know where you’re coming from as far as seeing in the guys’ eyes that they are going to get you because I’ve had people make a lot of comments to me like, “How are you going to compete in court because you’re so small and you have such a quiet voice. Are you going to do anything about your voice? Or, you don’t seem very intimidating?” Well just piss me off and we’ll see how intimidating I can get but it made me mad. And the person who said this to me was a girl and in a way she was a good friend of mine and it hurt my feelings that she said that. I thought that before you litigate you should always try to negotiate, before you try to drag something into court you should always try to talk things out first. I thought that was one of the main things you were supposed to learn and I haven’t seen that yet. Anything that you can fight, you’re supposed to fight, that’s what I’ve got the impression of so far in the cases.

**Meg:** I think it’s more money . . . than I thought it was. I think I was a little more naive. Well, I’m still probably naive because I’m not coming to law school because I want to go out and make, you know, thousands and thousands of dollars when I get finished. I had certain goals of what I wanted to do with my law career and it just seems like [to] the males here it is more of get out and make one hundred thousand dollars a year and if I’m not making one hundred thousand dollars a year I’m not successful. At least with some of the women I talked to it just seems goals are different in what we want to do with our law degrees. We want to go out actually and help society, or help a specific issue or something like that, whereas to them it’s just money and you can’t see anything else. My grandmother laughed at me because I told her why I wanted to go to law school and she said, “Oh, you want to be as poor as you were when you got in.” But it’s not an issue for me, and it bothers me that it’s a really big issue with them. Like you guys were talking about how it is important to have the top grades to get the top jobs. Well, I don’t necessarily want to be in the top firm. I’m not sure they’re going to be doing the type of law that I think is important to me and helping the cause that I’m interested in.
Robin: Last year when I was talking to attorneys about applying to law school, one of my teachers said, unfortunately for women in law, women are viewed two ways. One, if you are too feminine you're seen as ineffective, if you are too assertive then you are considered the “B” word. So, hearing that, it’s a no win situation when it comes to law. I’ll just work harder to overcome that stereotype.

Shira: Kind of on this topic, I’ve had the experience once already this year where someone has thought that about me because I was standing up in front of the room after a class trying to ask the professor a question, but I couldn’t get through the rest of the people who were trying to ask a question, and a friend of mine that was in the next class in that room called me later that evening and said, “Oh, yeah! I saw you up front trying to shmooze the professor in such and such class.” And I was like what! He’s a pretty liberal man and yet he still said that to me and I thought if I was a guy he would have said you must have had something real important to ask after class.

Robin: If you stay after class and ask the professors questions you really get dirty looks. I don’t know why.

Tali: I want to change the topic a bit. When I came in last year as a 1L, I was pretty intimidated because our class was about only twenty-five percent female and there were so many men, and so many of the men were really cocky. Something that’s happened to me several times, the guys would be talking to me and they would be condescending and then the inevitable question, oh, where did you go to college, and I said [a nationally prestigious university] and you could like see it in their face, they kind of look at me and stop for a second and they would be wow! that’s a really good school, like I didn’t know that. I said, “Yes, I’m aware of that,” and from then their attitude would change. Oh, this isn’t some silly girl, she went to this, what they perceive to be a fantastic school, she must be really bright and their attitude would change, and I thought that was really interesting, that they weren’t impressed with me just because I was a woman but as soon as they thought I might be a force to reckon with, they were a little more deferential.

Interviewer: How do you perceive the environment here for the male students? Do you think it is more positive, more negative and why?

Adena: Well, I’m trying not to categorize the males here, because you know they are all so different with age and race, but I think
generally they don’t have a bad time. I see them bonding. . . . [T]hey are up [at] happy hour on Friday’s having a good drink. To me, they are having a good time, but on the other hand I must say as a woman I haven’t had any problems here whatsoever. You can see the guys out there just having a blast.

*Ann:* The people here are different from anything I’ve ever — you know, I was from a poor family and where I went to school most of the students were from Appalachia and they all came from poor families. I was never challenged to evaluate my world view of where we all stand. So it was a big adjustment to see people who, money may never have been a problem but they had other things wrong in their life. Or maybe they never had any problems but still turned out to be fine people. You never thought that could happen; from where I was from, you had to have tragedy to keep from becoming not a person who could empathize, you have to have. But these people they turned out fine; they’re nice and they’re funny and they have insecurities and they’re human and everything. But when you first come, everyone is wearing a shield and they all seem so very perfect and concerned with being perfect and never doing anything that is embarrassing or stressful or out of the ordinary. But then they let that down and I think that’s the same with everyone, so that’s kind of what I’m trying to be.

*Tali:* They are kind of competitive with each other, but there’s a lot of camaraderie, I think, and they are competitive in a positive way — healthy competition.

*Interviewer:* How would you characterize the racial environment around the law school?

*Adena:* I’m trying to put a finger on it, but I can’t. I will say this. I’ve been here in this country for nine years and I’m fairly comfortable but sometimes I feel like there are feelings out there. Sometimes you hear things said. For some reason I managed to escape that when I was in undergrad and graduate, for some reason I don’t know why, maybe out of a bunch of very good American friends and other international friends and we were one big happy family. And maybe we isolated ourselves, I don’t know. But here I’ve just felt some things but I’m just trying to ignore them. There are moments when I do feel different — for lack of a better word — but I just ignore that. It’s in the air.
Kate: Law school is somewhat segregated. I guess that just reflects society in general. The support, I felt support was lacking from the school. I didn’t feel that my particular experience was taken into account. Once I got here and they got the stats in, the caring [for] me as African-American decreased and there wasn’t as much effort to take into account maybe the special problems that we might encounter. Like sometimes you feel isolated. We don’t have a large community at the school obviously and it’s kind of hard to turn to other African-American students sometimes because they’re struggling themselves. You don’t want to try to burden them, if that makes any sense.

Meg: In orientation, when everyone actually came here and I saw that I was one of the little brown spots on the notebook paper, the all white sheet of paper, that kind of hit me and I got resentful. But then after that, I just tuned it out.

Robin: I really didn’t feel that at all, I felt so comfortable here, and it was such a relief, I guess coming from an all white, urban neighborhood there was a lot of tension and my race was always the issue wherever I went to school. Now I’m here at the law school and it hasn’t come up. No one has said anything mean to me, or acted mean to me. I feel like I just fit right in.

Adena: With the professors there were no problems whatsoever, just loved all my professors and we had a wonderful relationship. With some of the students I think maybe there are some students who certainly haven’t had much contact with someone from another ethnic group, with blacks or other minority groups, and I think in conversation things will come up that, to me, seem almost racial. To them they are just being ignorant and they’ll come to deal with that, but this is what I was talking about when I say I felt things, when people say things, you know. My goodness! I can’t believe that person said that to my face without blinking, it was just a statement. But maybe they haven’t been with people like me before, you know, in conversation. Maybe that’s just why it is out of ignorance.

Jesse: I don’t know whether being treated differently, maybe not taken seriously in some instances, not really showing that I’m really an integral part of the whole scheme of things.

Interviewer: Do you attribute that to race or gender?
Jesse: I believe, probably more race than gender, honestly.

Interviewer: Why do you think that?

Jesse: Because I feel like in town you’re a very small percentage of the population and as far as the big picture, the majority, I mean everything is going to be geared to the majority. I feel like because the black population is so small here, we aren’t really a factor, as far as, just like SBA [Student Bar Association] activities, I don’t know, you just feel like this really isn’t for me, to be honest.

Robin: Coming in, just the people from the outside, some people say the only reason you got in is because of affirmative action and sometimes that gives you a complex, then you say, in my situation I’ll just work harder and prove that that’s not the only reason why I’m here.

Interviewer: Now the African-American students have expressed this idea of tokenism, they’re viewed as tokens of affirmative action. Do the white women feel that way, does anybody ever make you feel that way?

Shira: No.

Ricki: No.

Tali: Maybe a little bit. Not too much though, but occasionally. I don’t want people to think I’m just here because I’m a woman. I want them to realize I got in to some school.

Ricki: I ignore even if I thought it. If somebody is going to pull that crap, I wouldn’t think about, I wouldn’t allow it to keep popping in my head even if I really kind of deep down thought it. . . . We’re all here now. It’s kind of like you walk in after you get in and the slate’s clean. Your scores mean nothing, your GPA means nothing. You just walk in here and it’s like you’re the same until the first semester grades come out and you get ranked all over again. So it’s kind of like, well who cares how I got in, I got in, I’m just as good as you now.

Barb: Well, I like to think that I got into law school based on my brain not on the fact that I was an old woman. I guess maybe when I walked in that room for that Academic Support Program thing, it made me feel as if I was chosen, as if maybe that I might have gotten into law school not based on my ability. That would have made me very angry.
I don’t want to get anything because I’m a woman or because I’m filling a slot with a certain number of females over the age of forty. I don’t know how I really feel about affirmative action. I can see the benefit of it but I don’t think, I think people’s ability ought to be the primary measuring point not whether they are black, white, yellow, or orange or female or male. Being the token woman.

*Interviewer:* Do you feel like you’re the token woman?

*Barb:* No, no. There are lots of females. I’m obviously the oldest. I hope I’m not here for that reason. I hope that’s not it. It does kind of make, not make me feel bad but make me... it has a negative effect. If someone would tell me that I was here for that reason, it would kill me. For someone to think that I didn’t have the academic ability and they just let me because they needed an older woman, it would just kill me.

I’m staying here. I’m not exactly doing well, I wouldn’t think. On my scale of doing well, I’m not doing as well as I wish I was but.

*Shira:* As far as gender goes, with my background in the arts, it tends to be more of a mixed group. The area of the country that I’m in is almost entirely caucasian and so that’s why there was no crossing of interracial barriers. Mainly, because there just simply weren’t any other people. Maybe it’s the nature of the arts too, people tend to be more liberal and more accepting, that’s been my experience of different cultures, different races. I have never experienced this problem, I guess, that everyone is talking about. I’m not a feminist mainly because I have never had these problems, of men being condescending to me or, you know, I have never felt separate from the men.

*Ricki:* I’m like her, where I’m from, where I live now there are no minorities and my hometown doesn’t have a huge, maybe ten or fifteen percent minorities, so I’m not accustomed to being around black people. I have not had the privilege of being raised around a lot of different races of people, whether it be black, hispanic, indian, or whatever. I’m like Shira. I was raised pretty much [among] homogenous white people. I’m always really paranoid now that I have a lot of black friends here and everything. Everyday I think, “Oh, gee, please don’t let me say something that’s going to offend somebody without meaning to just because I’ve been raised in redneck hell” and it’s hard. It’s hard sometimes when you have been raised around a lot of stupid, bigoted opinions that you don’t mean to pick them up sometimes, but sometimes there are things that are said and they have just been joked and said so long and you are
just like, "Oh, God, please don’t let me say something today that somebody’s going to be offended at, because God, I probably wouldn’t even realize I had said something."

*Tali:* I would like to add something along those lines. I’m Jewish and I was raised in a small town where we were the only Jewish family. I look a pretty generic white on the outside, you know, so there’s no way that I am different from anyone else. I thought, well I’ll come to law school and there will be a lot of other Jews there. There are like none, there are a couple that I am aware of in my class. Maybe as some of you feel, I am always kind of listening with one ear to see if someone is going to say something derogatory toward me. Like I kind of wait for someone to say, oh, yeah, that so and so tried to jew him down or some sort of comment and I don’t think anyone would say it to me if they knew I were Jewish, they wouldn’t want to insult me.

*Tracy:* I think that impression is just there and if you’re a minority and you’re a woman... you face that two times, and if you’re a minority and a woman and you’re an international student, you face it three times. And whatever else that makes you different from what the status quo is, then you have that stamped on your forehead for as many times as whatever that instance may be. But I think you must be realistic and that I’m here about getting in and getting out, and I’m prepared for whatever comes my way. But I would like to see it different. But I just have the impression this is how things are going to be from here on out and this is just as political, law school is the most political atmosphere ever, so I feel like if that is going to be stamped on top of it.

*Jesse:* I just felt doubly intimidated being a black woman and being with child, pregnant, on top of that I just felt like that this was not a place that was friendly to me and I do have that attitude, get in and get out. I treat this as a job. It’s not like undergrad, where I can, like have the greatest of friends and do this activity and that activity, because a lot of the activities, I feel are not geared toward any interest that I would hold. So, I feel a little alienated.

Maybe it would be stereotypical, but going to a sports bar, sitting around drinking beer, we have to actually ask for a soda. There’s just a narrow straight road to where the typical law student is supposed to be. White male, young, single and then that’s it. It’s not friendly towards people who have families, it’s not friendly to the non-drinkers. So, yeah! the activities are definitely geared for single people who don’t have anything else to do but study and party.


Tali: I would just like to say, you touched on something I feel very strongly about. I’m not a teetotaler, I do drink occasionally, but I feel like so many of the activities in the law school are geared toward drinking. That’s just not like what I’m about and who I am and it’s not about who a lot of the people I know are. It’s a real holdover from when it was the training ground for the old boys’ network.

Tracy: Like it still is, then. Like the training ground. It still is.

Interviewer: Are you active in any of the student organizations or social activities of law school?

Barb: No. Because I’m too old.

Interviewer: You’re too old? It seems to me from looking around that there are quite a significant number of so-called nontraditional students here.

Barb: Non-traditional students, I’ve found, consider themselves non-traditional when you’re older than twenty-five. Or they worked a year first out of college. I graduated from college in the 1970s.

They could be my children, lots of them. I enjoy being with them but I’m the mother and they’re the sons.

Interviewer: Do they ever relate to you as a mother type?

Barb: Oh, yeah. They ask me for advice. They let me sew their buttons on their shirts.

Ann: Especially my first year, I was uncomfortable with the people here at the law school. I was poor growing up, and I wear that like a badge of honor and it shouldn’t be . . . I totally had a misconception of what the class was like, but I perceived them all as being white, upper middle class students and they had all of that experience and they had never been denied anything in their lives and blah, blah, blah, I could go on. I was horribly, I guess, culturalist. I was as bad one way as they could ever be imagined to be the other way. So I felt uncomfortable with a lot of the [student] associations. Women’s Law Caucus, also. Those things have never interested me. I think I’m a feminist in that I want women to be treated equally but that really is as far as it goes for me. Other than that, I don’t know, why would we have a women’s law caucus other than that. I don’t feel the inclination to go and be a part of that. But
I may eventually because I kind of also feel like I've set myself off some from those associations. And the SBA, no, that doesn't interest me. It's a lot of elected positions and a popular vote and they would never go for me.

[I don't get involved in] group things like that. I'm married and so they take time away from home. So I do spend a lot of time studying and when I do that I like to go home . . . I enjoy being married and I'd like to keep it that way. And law school is hard on a marriage and so that is probably part of it and the first year grades were everything to me. . . . I'm here this semester every morning at seven o'clock and my husband doesn't get home until six o'clock and he comes to get me at the end of the day. So you know I put in an eleven or twelve hour day and I'm not really in the mood to go and plan the Barrister's Ball.

Dana: I didn't realize how much beer is consumed in this college and I think that you're more accepted as a woman if you can drink with the guys. I think that plays a big part of it. I had no idea how much beer was consumed here, and if you drink you fit in better and you don't fit in with the guys if you don't drink with them.

Interviewer: What are the costs of not fitting in?

Dana: Well, you don't make the contacts that you could make. Say, you need a favor, you need some help with something, you can't call as many people because you don't have that relationship with them. . . . [I]f you wanted to be one of the guys and you didn't, then that would be a problem, but if you just didn't care because that seems like a kind of superficial thing to fit in with the guys because a lot of the guys here, I mean, I wouldn't want to fit in with anyway so it's not a big deal. A lot of them come off as arrogant I guess and I don't want to be a part of that. I don't think that the women here are near as arrogant. I think they are a lot more down to earth, normal. I think a lot of the guys are really arrogant, especially those whose fathers are attorneys or bigshots wherever they are from.

Kate: I think it hurts you too. Not only once you get out of law school but contacts like, getting an outline to study for your exam . . . [I]f you're not with the right crowd, if you can't get a hold of that outline you don't do as well on the finals.

Val: Yeah. Well, you're right, this is a good time to network so I went [to the student lounge]. I was about the only woman standing up
there and they were talking and then suddenly the conversation turned to golf. And all of them were going golfing the next day except for me. Yeah. I was like, all the boys were going to go play golf together . . . . That's the only time that I felt that way though. I don't know if it's I just got married, so I'm worried about my husband and I want to get my schoolwork done so I can see him and I'm not as concerned about hanging out with the guys, but I felt really comfortable here.

Dana: I knew a 3L that graduated last year and he was really upset that in the incoming class there was hardly any females in it. He was upset because there wasn't very many people to date and when he told me about that, it made me really mad too because they didn't accept very many women that year. But [my reaction] was completely opposite from his reaction . . . .

I have also heard that from the second year [men] students. The first year class, they [the women] were all married or somehow attached, and they are very upset because there are so few women and they are all attached. So, they are just totally miserable.

Deb: I think it is a white boy's world here. I mean, they thrive! It's like this was created for them, that's the way I perceive it. They are comfortable, there are more of them, you know, it's acclimated to the male, the beer drinking, it's the Golf Open. It adds to that arrogance that they have and that cockiness that I'm perceiving from most of these white males around here. They are so comfortable here and everyone else has to try to find their way. It's like it's a white male department. You look at the [composite class photos on the] walls and see those white boys, white men up there and it's like, as a woman you hardly have a place up there and as a black woman we rarely have a place up there.

Interviewer: How do you find your way in that environment?

Deb: Well, I've had twenty-nine years to try and I've usually been surrounded by white males. I come from a predominantly white neighborhood. I went to a predominantly white school where there was only like three blacks in the class and I came to campus as an undergrad, went to Texas and lived, went to Germany and lived so I'm used to, you know, just being not flamboyant, kind of quiet and in my own little space. Kind of like not to step on toes, not to . . . .

Jen: Can I say something? I would kind of agree with the comments about males in general. It is their kind of environment because that goes
back to if you are married or you have children. They don’t have any concept. You have to stay here from nine to five every day and if you have a family, it’s very hard. You have to go home and study and do different things and if you’re single, looking for a date it’s a totally different world. And then with my [night class], you couldn’t park back here so I’m like walking back and forth. It’s not very comfortable, it wasn’t conducive. No matter what I said to this professor, I’m the only woman in the class, and he had no concept of what it meant to walk at eight o’clock or nine o’clock at night to [a distant parking] lot. It’s just very different. And there is not the kind of support for women that there needs to be. There just isn’t.

_Dana_: . . . [E]very night when I go home. I know I’ve said at least fifteen times since I’ve started school that I can’t imagine people who have to raise a family and go to school at the same time. I feel like, I feel really bad when I don’t have enough time to spend with my dog let alone kids.

V. IN THE CLASSROOM

_Barb_: The males might not care so much about having the wrong answer. I think the girls are pretty much traumatized because they feel they are in a minority anyway. Well, if I’ve been humiliated in class I’m not about to raise my hand the next day and ask a question. If I don’t understand something, I just let myself get lost. Hopefully, I’ll figure it out later. So that’s not good.

_Interviewer_: What about going outside of class time to that professor.

_Barb_: If I’ve been humiliated in class by a professor I’m not about to go talk to him out of class.

_Meg_: Maybe it’s because I really don’t care. I really don’t care whether they think I’m successful or not in the classroom because the purpose is to learn what is going on and I usually don’t, well, sometimes I speak out when no one answers the question but as long as I feel that I know it, I don’t care if the person knows that I know it or someone down there knows that I know it because when the time comes where I need to demonstrate that I know it, that’s when it really matters. So, I don’t really care what they think.
Barb: I grew up when you didn't question your teachers or speak up much in class and I went to college and took notes, but we didn't discuss. These kids are more into talking and I don't say that much in class. They probably question more and I accept more. I mostly listen.

Kerana: I was going to say something similar to what Meg said, that in the classroom, how can you measure somebody's success, if we haven't gotten out and we haven't practiced law, we haven't taken the bar or anything like that. We are there to learn, we're not there to measure who is more successful and who is not and I think by telling whether somebody is quiet or talks a lot really tells nothing because you have some people, they talk all the time and I don't think they are more intelligent than anybody else.

Interviewer: How do your classmates perceive women who talk a lot?

[Laughter]

Interviewer: Truthfully, how are they perceived?

Dana: I think it depends on what they look like... If what someone would consider an attractive woman speaks up and raises her hand and says something, you can see their neck turning more than you can anything else. If they hear an attractive voice or they identify a voice to a person, they pay a little more attention that way. And it depends on how often they hear the voice. A lot of times, if a girl speaks out in every single class they tune her out as soon as they hear her voice.

Interviewer: Does that happen when the guys speak out? Do people have a tendency just to tune them out as well?

Dana: Yes, it depends on who they are. The ones that talk in every class, they get tuned out immediately. I think a lot of times it depends on what the girl looks like as to whether guys listen or not.

Ann: Some of the faculty are a little harder on the men occasionally and it is generally the female professors who do that. Oh, they'll just question them over and over. They don't get away with a yes or no answer. But it's not every female professor that does that. Well, not several but a couple who when a man speaks it is going to be a challenge to get your opinion heard. And that's probably not very fair to them or to the women either because if we don't feel that we have to support our
answers as much as a man, well isn’t that really the problem with all the affirmative action. When you think you’re getting an easy ride and maybe it’s because you’re not as capable. And also you’re not learning as much probably.

\(Jen:\) I expected to have the class discussions and have everybody participate. . . . [In] a lot of classes mostly it’s the men who participate. I’ve even noticed differences between the male and female professors. I noticed one time we had some visitors to our classroom and this particular professor was a female and she called on all the men that day. I know she was probably trying to impress those visiting students but it’s just like, what is that saying about the women here in the class. Do we not know enough to verbalize? I’ve just been disillusioned. All the drinking and the partying and then it seems like it carries over to the law office because a lot of the attorneys are like well, let’s go out buddy and have a beer and whatever.

\(Interviewer:\) Is there anything in the retention program that helped you think about this? Have these issues been addressed in the retention program?

\(Jen:\) Not directly in the program did we discuss any of these types of issues. Mostly it was preparation for class or how to do better in class. Outside of class a lot of the female students would get together and express their views on what it really is like. A lot of people found that it wasn’t quite what they thought it would be.

\(Kate:\) The scary part about it, to me, is I find myself seduced by the whole. I want to stomp my opponent and then step back. Whoa. Where did that come from, you know. I don’t know if I necessarily like that in myself sometimes.

I think about TAB [Trial Advocacy Board]. My partner and I, we were both women and we went against men. I could see in their eyes that they thought they were going to beat us just because they were men. This is no competition, you know. And then of course that brought it out in me. Let’s just see how well you’re going to do. I was thinking too about a certain professor, she’s a female professor, one of my favorite professors. I notice with the males, especially after they get out of the first year and they feel like they know something, they feel like they can challenge her more. I admire her because she knows her stuff. But it’s like that irks them even more that she knows her stuff because they are going to stick it to her if they can get an opportunity.
**Ann:** A lot of [the male students] like to think that they’re comfortable with women being in a similar position — that we’re all going to get jobs when we graduate and that’s okay. But you take those men aside and they also feel that, “Oh, a woman is ranked number one in our class. I wonder about that. There is more women in the top ten percent than there are men. I wonder about that. More women won argument than men, oh, I wonder about that.” I guess there is a lot of resentment from them. They perceive us as getting an easier ride of it and also getting more or better treatment in class, but we’re graded anonymously . . . Sometimes they don’t take what you’re saying as being as valuable as if a man was saying it.

And I think that is because women do prevaricate some in class and I would be one of those women. Sometimes we do say in class “Like, oh well I think that maybe,” whereas a man when he speaks is very sort of you know, . . . but I think that carries over in some attitudes. We would probably do that more because we do feel intimidated by the numbers and by the fact that we are treated sometimes outside of class as probably wrong . . . . We get a lot of times from the male students that our opinion is not as valuable. I was asked a question [in class] and I answered and it was a great answer, it really was, and I was really proud and I was very thoughtful answering and a student raised his hand and said, “Oh, well, I don’t think she’s right,” and that’s all he said. I probably wouldn’t have thought anything of it except I do know a little about this student outside of class and I know he thinks that women should be at home. And I think he seemed surprised that what I had said was right. But I don’t think that about all the male students by any means. How wrong would I be then? But there are a few and maybe to some degree from all the male students at once that there is an “us and them” kind of attitude.

**Meg:** I only had one incident and it was a classroom experience where the professor was giving a lecture and it’s a hypothetical and it is based totally on sports and I had no idea what was going on. It was football and then you went to baseball and then he said, “Oh, for the ladies, it’s ballet.” Well, I don’t have a clue about that either. This goes on regularly in this particular class so I find myself tuning in to ESPN trying to figure out what’s going on in sports so I can go into class and figure out, figure out how my hypothetical will relate to the world. But I think that’s sad, that’s real sad, and I wasn’t expecting anything like that.
Tracy: I can see a difference in the way that male professors address male questions and the way they address females who ask questions in class. Maybe it is just because I'm a stickler for everything and so, I mean, I've seen professors when a guy would ask a question, where the norm is, when the student asks the professor a question and [the professors] usually try to relate it to life so that we can understand what's going on, then they relate it to law. So what happens, if a guy asks a question, then they relate it to sports, or if a guy asks a question then they relate it to cars, but if a female asks a question, they relate it to ballet or they relate it to things they consider to be female. I've just noticed that when females ask male professors questions that the male almost takes the possessive role and leans over the desk to talk to the female as if to make sure she understands everything that is being said. It doesn't happen that way when guys ask questions in class; it's fun and games. There's that camaraderie there. It's a real pain to see that these are professionals, but yet you can still see the dividing line, guys over here, women over here. The girls after class talk about it. You can just see the women get livid and lift up in the seats and stuff, and they just blow it off or whatever. Like one my girlfriends had asked the professor a question. The professor was using the socratic method, and basically asked her, well, let's change the hypo and do this, this and this. So basically he turned everything around to where her answer wasn't what he wanted. So she defended herself. But after class he came up to her individually and told her, "I hope I didn't hurt your feelings." It's very obvious.

Interviewer: You don't think he would have behaved that way toward a guy?

Tracy: No way!

Ricki: I feel kind've weird because I like to drink beer and I like football. I was in the middle of that discussion that day that she was talking about, I was right there in the middle, going that's not right, Jack Tatum hit him.

Tracy: I love football too, but you saw how he changed the hypo, because he thought none of the female students understood anything about football, so he changed the hypo so that it fit us. And he said, "for you women," and then he talked about ballet. I've never been to a ballet. Sunday night football, I'm there, I love football. And I love the ballet, you know, but I haven't had the privilege of going to a ballet, but you
can get Sunday night TV in your home. So that’s an economic issue, so those are two different things.

*Ricki:* He didn’t offend me, because I thought he was just trying, he’s obviously from a little different time frame, because he’s a little much of a war horse. I got the feeling that he was trying to make an effort.

Another professor I’ve been watching is very male oriented. It took him almost two weeks to call on a girl in the class. I watched him because I got the feeling after about the first week, he hasn’t called on any women yet. It took him almost two weeks, but he’s from the old school obviously. You can definitely tell that it bothers him, he is just kind’ve annoyed that there’s women.

*Dana:* I’ve always felt like that male professors were more open to listen to what male students had to say. If you went up to talk to them or ask them a question it was more like, he patted the little girl on the head and sent her on the way because she was trying to understand. But they really didn’t seem like they would sit down and talk to them like they would a male student. But I feel a lot more comfortable with female professors because I feel like I have more in common with them and they would understand what I had to say better than a male would. And I think that they just seem a lot more welcoming. I know I’ve tried to talk to my male professors and they seem a lot less willing to help me.

*Val:* I just finished a masters degree and I’m so used to going and asking for help because I would rather just go and get my question answered than just sit around and wait forever and it doesn’t bother me. I don’t care if they don’t want to look at me, but I haven’t had anybody here act like what I had to say wasn’t important or that they didn’t have time for me. It could be that like Meg, I just don’t care. I’m here, evidently for a reason, they thought it was okay for me to come and I’m going to learn something so it doesn’t bother me. Maybe I’m not picking up on it.

*Ann:* Being in the majority, it’s hard for me to say what the African-Americans are . . . I perceive it as being that there’s not very many here. There are not a lot of people who aren’t white in the law school and you can’t help but notice that. In all my classes I may have two African-Americans. And I notice that only one of the people that I have class with ever feels comfortable enough to talk. There are several women, African-American women, that I think they are both very smart and have a lot to contribute but they never talk in class. I don’t know if that’s just
their percent because there's a lot of white people who don't talk. But I do wonder if by the fact that maybe they feel that because there isn't so many in the class they feel outnumbered the same way that women feel outnumbered and that is the only way I can really relate. That's my analogy.

How we're treated in class, I never perceive it as being any different. But then I think a lot of men would say that they never feel that women are being treated any different and so I don't know what they are used to expecting, I don't what their experience has led them to notice. They're probably much more sensitive to that kind of thing than I would be.

Kate: [I had an experience in class] — it was a class in which the book contained little problems . . . we set up a scenario where there was a robbery that took place but it was just like A robbed B, the police came and arrested B and C. Well, we had a video, like a little play production. Well, when the video came out, the robbers were all black and the people who were attacked were white and that just took me out of the class entirely for the rest of the period.

Interviewer: Why?

Kate: Because I sat there and I was just like whoa! It frustrated me. It seemed like no one else save the person sitting next to me seemed to notice the abnormality of this whole situation. In the book there was no mention of race, no mention of sex but when the video was shown it was black people in the bad role attacking white people. It just shot through me like uh! I was just sitting there angry like, how could anybody show this and not see that it would upset someone. It just took me out of the class. I was sitting there and I didn't take any notes. It was just like I had to get out of there, you know.

I thought about going to talk to the professor but I consulted with some of my fellow students and they said it would have been just over his head, he would never have realized, even if I pointed it out, he would never have realized, he would never have gotten it why it would upset me. In retrospect maybe I should have gone to talk to him but I didn't.

Interviewer: When you talked to other students, did you talk mostly to the African-Americans? Did you talk to any white students?

Kate: Well, I did. The person I talked to, she is my roommate actually. She is a white student and she got it but I think that is just
because of our friendship that she got it, but the majority of people I spoke to were African-American students. And some of them said, “Just let it go, this goes on, just let it slide and deal with it” basically.

Val: I think you have a complaint when you said that a lot of the white people didn’t notice. I think this isn’t an excuse, I think they need to be made aware that, I think that white people who have always been around white people don’t know. They just don’t clue in, it doesn’t hit them that that would be offensive. Because if you don’t have black friends or you haven’t been around black people, sometimes I guess you can’t empathize but that’s no excuse. They need to be aware and say, “Hey, this is an offensive thing.”

Kate: I understand what you’re saying. I’m thinking too, though. I understand they haven’t been around black people but I think part of it too is subconsciously that’s how they see black people so to them it’s like, “Okay. What’s abnormal about this? We see it on the news every day.” It’s just normal to them.

Val: I understand what you’re saying. I’m thinking too, though. I understand they haven’t been around black people but I think part of it too is subconsciously that’s how they see black people so to them it’s like, “Okay. What’s abnormal about this? We see it on the news every day.” It’s just normal to them.

Val: I think maybe if you could organize groups you know that were half white and half black and they could get together and talk about issues. I mean, I grew up in a town that was mainly white and it was a small town and all of the black people lived in one area and all kinds of racism because they never were around the black people. That’s why I’m saying they can’t relate. I think the more you are around each other maybe you can come to understand and some people you just have to hit them over the head with it, “Hey, this is not a good thing.” But maybe groups, small groups could get together and discuss.

Meg: I don’t know how feasible that would be, but I really don’t think that would work and I’m going back to Deb’s perception of these men around here. They don’t care. It wouldn’t make any difference if they were blue. It doesn’t make any difference if it was you. It is the way they see the world, they’re pretty much on top of it right now, you know. Why should they care? I don’t think it would make any difference.

Val: I guess that’s it. You have to care and if you don’t care...

Meg: I had something and it was just this week. I couldn’t concentrate the whole time in class because I read this article in the student newspaper before I went to class. So I go in the class and all I see is
white men and I'm looking at them, I'm going well, do you think like that? And that's all I can think about.

It was an article about affirmative action and it talked specifically about law schools. It wasn’t particularly this one, and how we had so many privileges, and we weren’t meeting the standards and I expected that [perception] when I got here. I really expected that. I’ve been reading all about it and I really expected that attitude, but this was from a student that was not in the law school but I knew that there are tons of them that are here that think that way. It was the first time I was actually faced with it but I could not concentrate. And that is something you guys [said to the white women around the table] would not understand. I read the paper. I shouldn’t have read the paper before I went in, but I read the paper and I missed a whole hour’s worth of class because of it. A whole total hour. I couldn’t concentrate at all and those are the kinds of things that you have to deal [with]. You shouldn’t have to and maybe I should have blown it off but it gets pretty personal after a while.

Val: It’s hard to blow off. The newspaper makes me ashamed to be white. We have talked about it. I do, I feel really bad. I know that doesn’t make anything any better.

Meg: . . . I should know better. I got paranoid for a minute or so. Do you think this way? Because if you do, I want everyone to raise their hands because I want to know where everyone is so I can stay away from you. And that’s the way I was feeling.

Val: What bothers me is I don’t want everybody to think that all whites are racist. They had a series lately of articles and I’ve been like, there is a stereotype and I don’t feel that way. And I’m afraid that people will think that I do. I got in the middle of a discussion in the lounge one day and this guy, I don’t know if he was a 2L or a 3L, and he was so angry and I was the only white person in the group and he wouldn’t look at me. And I was in the group and I was trying to talk and contribute what I could and he wouldn’t look at me or have any contact with me. He looked at everyone else and everyone else was black and I thought, you know, I don’t feel this way. I thought, don’t hate me.

Kate: You two are white women and in a way, I guess sometimes I’m more frustrated because I figure you’re a woman so somewhat of what I’m going through you should relate to simply because you’re going to get it. You’re not getting it because of race but because of gender. And sometimes I’m like, as a woman, not you particularly, but why do you
have such trouble perceiving my frustrations when you’re getting some yourself? Do you see what I’m saying? Because I’m getting it as a woman and as a black person so I guess I’m frustrated in that sense too. As a white woman you should know somewhat of what I’m going through.

*Interviewer:* Is your perception that most white women don’t understand what you’re going through?

*Kate:* I don’t believe they do. I mean, I really don’t believe they do.

*Meg:* I felt like that when I went to the Women’s Law Caucus meeting. I thought well, that’s nice but it doesn’t really pertain to what my special needs are and really it didn’t even seem to pertain too much to what your needs would be to me. I don’t think that is taken into consideration even in a setting where there is mostly women. I agree. I don’t think that you really know what we’re seeking. The kind of help that we’re seeking, and it’s hard to even verbalize it. But I think the programming should be geared toward something for us all, especially in that setting, especially in a women’s law caucus.

My needs aren’t going bowling. We talked about going bowling, we talked about having a tennis tournament or something like that. I don’t have time for bowling, I don’t have time for tennis tournaments. What I have time for is, maybe you should have seminars that could tell me how I can get through law school as a woman. Have someone come in here and talk to me about that. Maybe you could help me get myself together so I can maybe be prepared to be in a clerkship when the summer comes around.

It was really strange that the activities that they were talking about doing was more, that they felt like it had to be, they were doing what their male counterparts were doing. None of them were really good at it, they admitted that they weren’t good at it. They said, “I’m not good at bowling,” and “I’m not good at tennis,” nobody knew anything about it but they were going to have this event. And I thought that this was really weird when it seemed like they were, kind of, you know, following their male counterpart pattern. This is what you do when you have an event, you have sports.

*Jen:* With the Women’s Law Caucus initially I felt similar to how you felt. Because at the very first meeting everybody broke off into certain groups and it was a couple of black students and a white student. She had no perception that there was a glass ceiling, affirmative action
should be eliminated, I'm here because I'm good, and I can compete in this man's world and you guys that don't have this idea don't need to be here. And it was really very frustrating to hear that, very frustrating. And I don't know if it is a matter of age because maybe some people haven't had the opportunity to experience certain things. If you've never worked I guess you would never hit a glass ceiling. It was really troubling, really troubling.

*Dana:* I want it to provide me with a lot of contacts that I'll need later on. The real reason that I went there was because I was really interested in the mentor program.