

ABF American Bar Foundation  
EXPANDING KNOWLEDGE • ADVANCING JUSTICE

# RESEARCHING LAW

AN ABF UPDATE

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SPECIAL ISSUE:  
**THE SUMMER  
RESEARCH DIVERSITY  
FELLOWSHIP PROGRAM**

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## SPECIAL ISSUE:

# The Summer Research Diversity Fellowship Program

Every summer for the last twenty-one years the American Bar Foundation has hosted four young scholars from diverse backgrounds for an eight-week research internship in Chicago, as part of its Summer Research Diversity Fellowship program.

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The summer sessions are designed to introduce undergraduate students to the rewards and demands of a research-oriented career in the field of law and social science. Admission to the program is highly competitive; students come to the ABF from colleges and universities across the United States. Each student is assigned to an ABF Research Professor who involves the student in the design and implementation of the Professor's research project and who acts as mentor during the student's tenure. While the students work primarily as research assistants, they also attend a series of seminars conducted by ABF Research Professors who acquaint the students with their diverse research projects.

In addition to their ABF research involvement, the students are exposed to various legal career options and observe the justice system in action

in the city of Chicago. A series of field trips provides the students with an opportunity to talk with legal actors in the real-world environments that are the focus of the ABF's empirical research. Each year the students visit, among others, the offices of Cook County's Public Defender, Public Guardian, and State's Attorney, the Illinois Solicitor General, the juvenile and criminal courts, and meet with individual private practitioners and judges.

## DIVERSITY IN LAW AND ACADEMIA: MILES TO GO

The American Bar Foundation instituted the Summer Research Diversity Fellowship Program in 1988, under the leadership of then-Director William Felstiner. The purpose of the program was, according to the 1988 ABF Annual Report, "to coun-

ter the shortage of minority scholars involved in the empirical investigation of law." ABF's creation of a diversity fellowship dovetailed with a larger effort by the American Bar Association to advance the presence of minorities in the law, beginning in the early 1980s. In 1986, after several years of research by a task force, the ABA created the Commission on Opportunities for Minorities in the Profession, whose mission is to promote the "full and equal participation" of people from diverse backgrounds in the legal profession.

Though minorities now participate in higher numbers in law and legal scholarship than in the mid-1980s, much remains to be achieved. In 1998, 2000, and 2004, the ABA Commission reported on the status of minorities in the legal profession. The 2004 report, entitled *Miles to Go: Progress of Minorities*

in the *Legal Profession*, arrived at six major findings:

- Minority representation in the legal profession is significantly lower than in most other professions
- Minority entry into the profession has slowed considerably since the 1980s and mid-1990s
- The initial employment of minority lawyers still differs considerably from that of whites
- Minorities remain grossly underrepresented in top-level private sector jobs, such as law partner and corporate general counsel
- Progress has been especially slow for minority women in the profession
- Minorities in general continue to face significant obstacles to “full and equal” participation in the legal profession

In 2009 the ABA has dedicated significant resources to studying the problem, culminating in a National Summit on Diversity, entitled “Diversity in the Legal Profession: The Next Steps?” held on June 18-20. The Summit’s final report will be presented during the ABA Annual Meeting on July 31, in Chicago. As ABA President H. Thomas Wells, Jr. summarizes in the June 2009 *ABA*

*Journal*, “Though we’ve made progress in diversity, the legal profession is still nearly 90 percent white, while minorities represent only about 20 percent of law school enrollment, and that percentage is dropping.”<sup>1</sup>

“The summer sessions are designed to introduce undergraduate students to the rewards and demands of a research-oriented career in the field of law and social science.”

Similarly, in academia minorities are not yet represented in proportion to their numbers in the population. The American Psychological Association notes on its website, “Although minorities currently represent 30% of our nation’s population and are projected to account for 40% in 2025, only 16% of doctorates in psychology in 2001, for instance, were awarded to minorities.”<sup>2</sup> Of particular concern to academicians is not only

the admission of minorities to PhD programs, but also their retention through all phases of the academic “pipeline” from the undergraduate experience, through graduate school and on to the academic tenure track. The American Political Science Association which has sponsored a APSA Minority Fellows Program for the last 40 years, has recently “refocused and increased its efforts to assist minority students in completing their doctorates by concentrating not only on the recruitment of minorities, but also on the retention of these groups within the profession.”<sup>3</sup>

Thus, in 2009, ABF’s Summer Research Diversity Fellowship Program continues to fill an important need. As ABF Director Robert Nelson comments, “Though progress has been made in the last twenty years, minorities are still underrepresented in law and in socio-legal scholarship. ABF’s Summer Research Diversity Program is unique in that it allows talented undergraduates from diverse backgrounds to work with the very best socio-legal scholars, and to see up close how cutting edge research projects are designed and implemented. In affording undergraduates this experience, the program continues its role as an important segment of the ‘diversity pipeline’ to careers in academia and law.”<sup>4</sup>

1. [http://www.abajournal.com/magazine/allowing\\_our\\_differences\\_to\\_unite\\_us/](http://www.abajournal.com/magazine/allowing_our_differences_to_unite_us/)

2. <http://www.apa.org/ppo/funding/mfpbriefingsheet.html>

3. [http://www.apsanet.org/content\\_3284.cfm](http://www.apsanet.org/content_3284.cfm)

4. The ABF also supports graduate education for scholars from diverse backgrounds through its doctoral fellowship programs.

## IN SUPPORT OF THE PROGRAM

Since the summer research fellowships are residential and draw students from across the country, ABF covers transportation and housing costs, as well as providing each student with an eight-week stipend. To help defray these costs, ABF has sought support for the program from a variety of private and government foundations, as well as from law firms. Early supporters included the Solon E. Summerfield Foundation, which has donated to the program every year since 1989, the New York Times Company Foundation, the W.P. and H.B. White Foundation, and the Xerox Foundation. The National Science Foundation has also contributed to the program in various years in the form of Research Experiences for Undergraduates supplements to NSF research grants awarded to ABF faculty.

In 1999 the Kenneth F. and Harle G. Montgomery Foundation made a major gift to ABF in support of the program. Subsequently, ABF has sought to build on this gift with the goal of creating an endowment so that the program may be self-sustaining. In recent years ABF has been grateful to receive support toward this goal from the following members of the legal community as well as the following foundations:

### 2006

#### Named Fellowship

- Kirkland & Ellis LLP
- Jenner & Block LLP

#### Benefactor

- DLA Piper Rudnick Gray Cary US LLP
- Wildman, Harrold, Allen & Dixon LLP
- Katten Muchin Rosenman LLP

#### Contributor

- Mayer, Brown, Rowe & Maw LLP
- Solon E. Summerfield Foundation

#### Research Experiences for Undergraduates Grant Supplements

- National Science Foundation

### 2007

#### Named Fellowship

- Kirkland & Ellis LLP
- Seyfarth Shaw LLP

#### Benefactor

- Katten Muchin Rosenman LLP

#### Patron

- Sonnenschein Nath & Rosenthal LLP

#### Contributor

- Solon E. Summerfield Foundation

#### Research Experiences for Undergraduates Grant Supplements

- National Science Foundation

### 2008

#### Named Fellowship

- Kirkland & Ellis LLP
- Seyfarth Shaw LLP

#### Benefactor

- Katten Muchin Rosenman LLP

#### Contributor

- Bell, Boyd & Lloyd LLP
- Solon E. Summerfield Foundation

#### Research Experiences for Undergraduates Grant Supplements

- National Science Foundation

### 2009 (as of July press date)

#### Partner

- Seyfarth Shaw LLP

#### Benefactor

- James D. Montgomery & Associates, Ltd

#### Contributor

- Lloyd A. Fry Foundation
- Solon E. Summerfield Foundation

#### Research Experiences for Undergraduates Grant Supplements

- National Science Foundation



## SUMMER RESEARCH DIVERSITY FELLOWS ALUMNI

Since its inception in 1988 the program has hosted 90 undergraduates (66 women, 24 men) from 51 colleges and universities, who hail from 27 states as well as Puerto Rico, Hong Kong and Papua New Guinea. Of the 90 students who have participated in the program, about 53 percent identified themselves as African American, 20 percent Hispanic/Latino, 20 percent Asian, South Asian, biracial, or other, 5.5 percent Puerto Rican, and one person identified herself as Native American.

While many Summer Research Diversity Fellowship alumni go on to academic careers in the social sciences and law, many others have chosen to pursue careers as legal practitioners, to work in government, social policy, or business. Of the 78 alumni through 2006, ABF has been able to identify the work or study areas of 55. Of the 55, 23.6 percent were working in law firms, 20 percent had careers in academia, mostly in law, 18.2 percent were currently graduate students, mostly in JD, joint JD/PhD or JD/MA programs, 14.5 percent were using their legal skills in business settings, 14.5 percent were working in government, and 9.1 percent were working in the policy arena.

## ALUMNI PROFILES



*Photo courtesy of Bruce Forrester Photography*

### Mariano-Florentino "Tino" Cuéllar

*Special Assistant to the  
President for Justice and  
Regulatory Policy, White House  
Domestic Policy Council  
(SRDF, 1992; Fellow, American  
Bar Foundation, 2007)*

Tino Cuéllar, currently on leave from his position as Professor of Law and Deane F. Johnson Faculty Scholar at Stanford University, works in Washington for the Obama administration's White House Domestic Policy Council, where he is Special Assistant to the President for Justice and Regulatory Policy. From August 2008 until January 2009 Cuéllar co-chaired the Presidential Transition team on immigration policy, and during the presidential campaign chaired the Obama campaign's policy advisory committee on immigration, borders, refugees, and domestic and international criminal justice. He has published widely on immigration,

national and international security, criminal justice, and regulation of criminal financial activity. Cuéllar obtained his J.D. from Yale University in 1997, and a PhD in Political Science from Stanford University in 2000. Since 2001 he has taught at Stanford Law School. In 2007 Cuéllar became a Fellow of the American Bar Foundation.

Cuéllar grew up in Calexico, California, a small city on the US-Mexico border about 125 miles east of San Diego. In 1990 he began undergraduate studies in political science at Harvard University, arriving at ABF the summer after his junior year.

Says Cuéllar, "My summer at the American Bar Foundation opened up a new world that remains part of my life to this day. I was surrounded by engaged, creative and energetic scholars who made it their mission to push the frontiers of knowledge about legal institutions and practices. They didn't let boundaries between economics and anthropology, or between law and social science, stop them from exploring how informal markets cleared on the South Side of Chicago, how police decided whom to investigate, or how the public understands the meaning of justice. Building a better legal system depends heavily on the answers to these sorts of questions."

## ALUMNI PROFILES



**Destiny Peery**

*JD/PhD Student, Law and Psychology, Northwestern University (SRDF, 2004)*

“Research professors, research assistants and students at the Bar Foundation are all doing interdisciplinary empirical research,” says Destiny Peery (SRDF, 2004), who is currently pursuing a joint JD/PhD at Northwestern University. “The program opens up options to undergraduates who may not have known of them.” Indeed, for Peery, the program was the catalyst in her decision to pursue a joint degree in law and psychology after she graduated from college.

Peery grew up in Minneapolis and attended the University of Minnesota for undergraduate studies in psychology and sociology. At ABF

she worked with Research Professor Shari Diamond on her research on jury decision-making. Though she had known since high school that she wanted to pursue graduate studies in psychology, Peery’s experience working with Diamond led her to see how psychology and law intersect, and opened up the possibility of pursuing a joint degree with equal emphasis on both disciplines, something she hadn’t considered before.

In her graduate studies at Northwestern, Peery is researching racial categorization and the perception of race. In addition to studying the social psychology of race, she is tracing



*From left: Gabriela Jara, Alana Kirkland, Cara McClellan, Amin Montgomery*


how the law was used to create rules for racial categorization and how those rules were translated into rigid social categories. Of particular interest to Peery are the issues and tensions surrounding “multi-racial” groups.

Recalling her summer experience at ABF, Peery notes not only the creative academic environment, but also the pleasure of getting to know and exchange ideas with the other summer fellows, the lively informal discussions over lunch, and the diverse, stimulating environment of the city of Chicago. “ABF’s location in the heart of Chicago adds another level to the richness of the program,” Peery comments.

“My summer at the American Bar Foundation opened up a new world that remains part of my life to this day.”

## 2009 RESEARCH INTERNS

This year’s students arrived at ABF on June 15, for their eight week stints as Summer Research Diversity Fellows

**Gabriela Jara**, a native of Long Island, New York, is a rising senior at Columbia University in New York City, where she is majoring in Political Science with a special concentration in Human Rights. **Alana Kirkland**, a rising senior at Stanford University, hails from St. Louis, Missouri. She is majoring in Political Science with a concentration in International Relations, and is also pursuing a minor in Spanish. **Cara McClellan**, a native of Philadelphia, PA, is a rising senior at Yale University, majoring in Sociology. **Amin Montgomery**, from Bothell, Washington, will be a senior next year at the University of Washington, Seattle. He is majoring in Political Science, with a minor in International Studies. 

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MORE INFORMATION ON THE SUMMER RESEARCH DIVERSITY FELLOWSHIP PROGRAM MAY BE FOUND ON ABF’S WEBSITE AT: [www.americanbarfoundation.org/research/Fellowshipopportunities/SummerResearchDiversityFellowshipsinLawandSocialScience.html](http://www.americanbarfoundation.org/research/Fellowshipopportunities/SummerResearchDiversityFellowshipsinLawandSocialScience.html)

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IF YOU ARE INTERESTED IN SUPPORTING THE SUMMER RESEARCH DIVERSITY FELLOWSHIP PROGRAM OR OTHER IMPORTANT ABF INITIATIVES, PLEASE CONTACT LUCINDA UNDERWOOD AT 312.988.6573

Since 1988 ninety undergraduates have participated in the program from the following colleges and universities:

American University  
Amherst College  
Bowdoin College  
California Polytechnic University  
Carleton College  
Claremont McKenna College  
Clemson University  
Columbia University  
Cornell University  
Dartmouth College  
Dillard University  
Duke University  
Emory University  
Fisk University  
Georgetown University  
Grinnell College  
Hampton University  
Harvard University  
Iowa State University  
LaSalle University  
Morehouse College  
Mount Holyoke College  
New York University  
Northeastern Illinois University  
Northwestern University  
Penn State University  
Pomona College  
Princeton University  
Spelman College  
Stanford University  
Swarthmore College  
Tougaloo College  
Trinity College  
University of California, Los Angeles  
University of Chicago  
University of Denver  
University of Illinois  
University of Maryland  
University of Memphis  
University of Michigan  
University of Minnesota  
University of Notre Dame  
University of Southern California  
University of Virginia  
University of Washington  
University of Wisconsin  
Wellesley College  
Wesleyan University  
Westmont College  
Whittier College  
Wittenburg College  
Yale University

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