

STATE BAR OF TEXAS

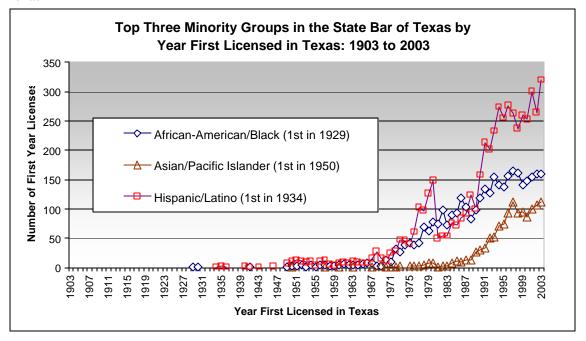
DEPARTMENT OF RESEARCH & ANALYSIS

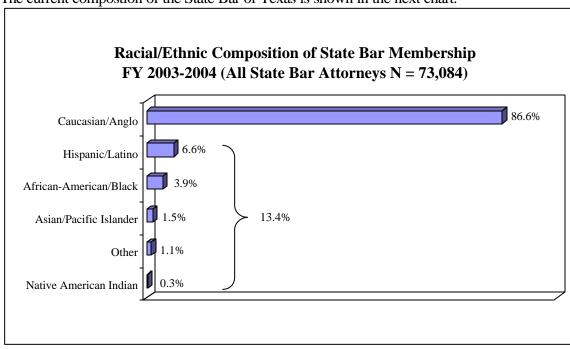
June 2004

Annual Report on the Status of Racial/Ethnic Minorities in the State Bar of Texas (2003-2004)¹

by Nils Greger Olsson, Ph.D. and Greg Hammond, B.A.

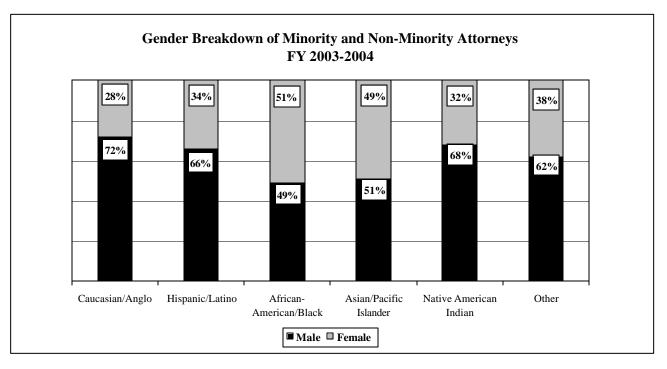
Minority attorneys comprise a rapidly growing segment of the State Bar of Texas membership. Since 1993,² when approximately eight percent of attorneys licensed in Texas were minorities, the number of minority attorneys in the State Bar has grown by 104 percent. During the same time, the Bar membership as a whole increased by 26 percent. Currently, 13.4 percent of Texas Bar members are minorities.³ Asian/Pacific Islander attorneys had the largest percent increase (295 percent) in membership of any racial/ethnic group between 1993 and 2003. The following graph shows gains from 1903 to 2003 for the top three minority groups (Hispanic/Latino, African-American/Black, and Asian/Pacific Islander) by the year they were first licensed to practice law in Texas⁴.



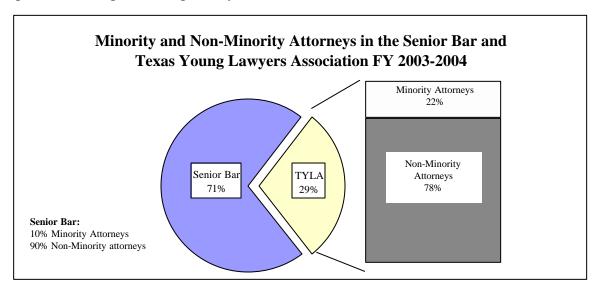


The current compostion of the State Bar of Texas is shown in the next chart.

Despite these dramatic gains in the number of minority lawyers, the legal profession lags behind the medical field in the representation of minorities—30 percent of licensed and practicing Texas physicians are minorities.⁵ Currently, minorities comprise about half (49%, 2003 projection) of the Texas population⁶ and 45 percent of the civilian labor force.⁷



At least part of the increase in minority membership is attributable to the continuing influx of women into the legal profession, as the percentage of female attorneys is far higher among minorities than for the membership overall (41 percent compared with 29 percent). Women account for a particularly high percentage of African-American/Black and Asian/Pacific Islander attorneys (51 percent and 49 percent, respectively).



Age and Years Licensed

Minority attorneys are younger and have been licensed⁸ for fewer years than the overall State Bar membership. Twenty-two percent of the members of the Texas Young Lawyers Association (TYLA) are minority attorneys (more than twice the proportion found in the Senior Bar), and half (50 percent) of minority lawyers are TYLA members.⁹

While the median age of all Texas licensed attorneys is 45 and the median years licensed is 16, the typical minority attorney is 38 years old and has been licensed for eight years. The youthfulness of minority attorneys is particularly pronounced among Asian/Pacific Islander lawyers, who have a median age of 34 years and a median years licensed of just five. Some 71 percent of Asian/Pacific Islander attorneys are TYLA members.

Minorities comprise one quarter (25 percent) of the Bar's newest members—those licensed two years or fewer—but only five percent of attorneys licensed more than 25 years.

Race/Ethnicity, Age and Years Licensed of Texas Attorneys FY 2003-2004

Race/Ethnicity	Median Age	Median Years Licensed		
All Attorneys	45 years	16 years		
Caucasian/Anglo	46 years	17 years		
Native American Indian	42 years	10 years		
African-American/Black	41 years	10 years		
Hispanic/Latino	38 years	9 years		
Asian/Pacific Islander	34 years	5 years		
Other	35 years	6 years		

Occupational Settings and Law Firm Size¹⁰

Although about two-thirds (67 percent) of Texas lawyers work in private law practice, there are significant differences in occupational setting and law firm size across racial/ethnic lines. Minorities are disproportionately represented among government attorneys—17 percent of minority lawyers (and 20 percent of African-American/Black attorneys) work for a branch of government, compared with 11 percent of the Bar membership overall. Nine percent of Bar members are employed as in-house counsel, as are seven percent of minority lawyers. Asian/Pacific Islander attorneys are about twice as likely to serve in this capacity as Hispanic/Latino or Native American Indian attorneys).

Minority attorneys in private law practice tend to work in smaller firms than their non-minority counterparts. Approximately three-quarters of both African-American/Black (74 percent) and Hispanic/Latino attorneys (71 percent) work in firms with five or fewer lawyers, compared with 59 percent of all private practitioners. Moreover, about half (53 percent) of African-American/Black attorneys in private practice are sole practitioners, whereas for the Bar membership as a whole this percentage is just over one-third (36 percent). By contrast, 27 percent of Asian/Pacific Islander attorneys work in law firms with 60 or more attorneys, making them more

likely than any other minority or non-minority group to work in the largest firms.

Primary Occupation and Race/Ethnicity of State Bar Members FY 2003-2004

Primary Occupation	All Attorneys (N= 73,084)	Anglo/ Caucasian (N= 59,922)	African American/ Black (N=2,691)	Hispanic/ Latino (N=4,587)	Asian/ Pacific Islander (N=1,039)	Native American Indian (N=203)	Other (N=758)
Private Practice	67%	68%	58%	68%	66%	68%	72%
Government	11%	10%	20%	17%	12%	13%	11%
Judiciary	2%	2%	3%	3%	1%	1%	2%
Law Faculty	1%	1%	1%	1%	0%	1%	<1%
In-House Counsel	9%	10%	9%	5%	11%	6%	8%
Other Law Related	3%	3%	5%	3%	4%	1%	2%
Non-Law Related	3%	3%	2%	2%	2%	4%	2%
Retired/ Not Working	4%	4%	3%	2%	3%	5%	3%
Median Law Firm Size	4	4	1	3	5	3	4

Geographic Location¹¹

Like the overall State Bar membership, most minority attorneys are located in metropolitan areas—97 percent of in-state minority attorneys and 96 percent of all in-state attorneys live or work in an metropolitan county. Nearly three-quarters of in-state minority (72 percent) and all in-state (73 percent) lawyers currently reside in one of five Texas counties: Bexar, Dallas, Harris, Tarrant, and Travis.

Though nearly all minority attorneys in Texas reside in urban areas, attorneys from the different racial/ethnic groups are not evenly distributed among the major cities. For instance, while about a quarter (28 percent) of the in-state Bar membership is located in Harris County, nearly half of both African-American/Black (47 percent) and Asian/Pacific Islander (49 percent) lawyers reside there. Twenty-five percent of all Hispanic/Latino lawyers residing in Texas live along the Texas-Mexico border¹³ (compared with four percent of in-state members as a whole), and 18 percent live in Bexar County (compared to seven percent of the membership as a whole).

Texas Law School Enrollment¹⁴

Forty-six percent of minority law students in Texas are Hispanic/Latino, 29 percent are African-American/Black, 22 percent are Asian/Pacific Islander, and three percent are Native American Indian. Texas Southern University has the highest percentage of minority enrollment (87 percent) among the Texas law schools, followed by St. Mary's University (34 percent), and the University of Texas (22 percent). Baylor Law School has the lowest percentage (12 percent), followed by Texas Tech (14 percent) and Southern Methodist University (16 percent each).

Participation in State Bar Sections and Bar Leadership

Minority attorneys are less active in the voluntary area-of-interest sections of the State Bar than is the overall membership. Thirty-two percent of minority attorneys are a member of at least one section, compared with 40 percent of the total Bar. Apart from the minority-oriented sections, which have the largest percentage of minority members, the law sections with the highest percentages of minority members are Municipal Judges (25 percent), Justice of the Peace (23 percent), Government Lawyers (18 percent), Entertainment & Sports Law (17 percent), General Practice, Solo and Small Firm (16 percent), School Law (16 percent), International Law (16 percent) and Criminal Justice (16 percent).

Minority attorneys comprise 18 percent of all voting members and 10 percent of the elected members of the 2003-2004 State Bar Board of Directors. Eighteen percent of the voting members of the FY 2003-2004 TYLA Board of Directors and 11 percent of its elected members are minorities.

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Notes

¹ Attorney data in this report is based on the State Bar of Texas membership records, December 2003. Unless otherwise noted, all figures refer to active State Bar members. Some figures are estimates, as not all information is known for every active attorney.

² 1993 is the first year in which race/ethnicity was known for over 90 percent of the membership.

³ Race/ethnicity was known for approximately 95 percent of the active Bar membership in December 2003.

⁴ Note that the category of "None Specified" has been omitted from this graph. When considering their first year of Texas license, for members licensed from 1903 to 1929, half or more did not have ethnicity specified. This number dropped to about one-third by 1939, to about 20% by 1959, and to about 10% by 1979. Finally, as mentioned in footnote 2, by 1993 over 90 percent of the total membership reported ethnicity status.

⁵ Texas State Board of Medical Examiners. Figures based on active practicing physicians licensed in Texas, February 2003, http://www.tsbme.state.tx.us/demo/docs/d2003/0103/ethnic.htm.

⁶ Texas State Data Center and Office of the State Demographer Texas. *Population Projections Program: Post 2000 Census Population Projections, Migration Scenario 0.5 (online)*, http://txsdc.tamu.edu/, San Antonio, TX: Texas State Data Center and Office of the State Demographer, Institute for Demographic and Socioeconomic Research, University of Texas at San Antonio, June 8, 2004.

⁷ Bureau of Labor Statistics, U. S. Department of Labor, http://www.bls.gov/opub/gp/gpsec2.htm (Table 12). This statistic is for the latest year available, 2002.

⁸ Based on year first licensed in any jurisdiction.

⁹ The Texas Young Lawyers Association (TYLA) consists of all attorneys licensed in Texas who are 36 years or younger as of June 1 of each year, or attorneys within their initial 36-month licensing period as of June 1. The Senior Bar consists of all attorneys who are not members of TYLA.

¹⁰ Primary occupation and law firm size are estimates as these figures are unknown for some attorneys. Law firm size figures are for private practitioners only.

¹¹ Bar geography, such as county membership and district memberships, is based on members' official address. Starting in 2003, bar members' official address is their work address; if work address is unavailable, home address is used.

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¹² Seventy-seven out of 254 Texas counties are classified by the U.S. Department of Commerce as components of a metropolitan area. US Department of the Census Bureau. Metropolitan and Micropolitan Statistical Areas (online), http://www.census.gov/population/www/estimates/metroarea.html . As per OMB Bulletin No 03-04, June 6, 2003.

¹³ The Texas-Mexico border includes the counties of Brewster, Cameron, El Paso, Hidalgo, Hudspeth, Maverick, Presidio, Starr, Terrell, Val Verde, Webb and Zapata counties.

¹⁴ 2004-2005 National Directory of Law Schools, which reports data for 2003-2004. Data on ethnicity were not available for South Texas College of Law for 2003-2004.