



Creating Opportunities for the Next Generation of Lawyers

By David C. Koelsch

fast facts

- Immigrant law students and attorneys bring a fresh perspective, skills, and vitality to the State Bar.
- Current State Bar membership is not reflective of Michigan's immigrant population, and Michigan's immigrants are far less represented than non-immigrants.
- Michigan attorneys can increase the representation of immigrants in the State Bar by inspiring younger immigrants to pursue their dreams of becoming lawyers.

The Future of Our Profession Depends on an Immigrant-Rich Bar

At first glance, the current economic climate may not foster a desire among Michigan attorneys to welcome immigrants to our law schools and for admission to the Bar. A closer look, however, reveals that immigrant law students and attorneys offer much to the practice of law and the service of Michigan residents. Immigrants are just one more piece of the puzzle in creating a bar that reflects who we are: a nation and a state like no other in the world in the richness of our ethnicities, history, and culture.

As a border state, Michigan has welcomed generations of Canadian citizens to matriculate in Michigan law schools, and many Canadian graduates stay in Michigan after passing the bar exam. Michigan has attracted immigrants from all over the world, many of whom have either pursued a law degree in Michigan or have already earned a law degree outside of the U.S. Now that borders are collapsing and the world is bound together by the ability to freely travel great distances and the ease of instant global communication, Michigan is poised to capitalize on a new generation of immigrant law students and attorneys. At the same time, native Michigan law students and attorneys are reaching out beyond Michigan and even the U.S. to seek job opportunities in the global legal services marketplace. Michigan law schools and employers recognize this trend and actively recruit immigrant law students and attorneys.

The Role of Immigrants in the Michigan Bar of the Future

Despite gains in recent decades, Michigan's bar continues to lag behind the diversity of society at large. There is clearly a need to promote greater diversity within the bar along traditional metrics such as race, gender, sexual orientation, and geography. So, too, exists a need to encourage greater numbers of immigrant law students and attorneys to enter and settle in Michigan. Michigan's bar is diverse with respect to the representation of immigrants from a broad spectrum of countries, but is nowhere near the rate of immigrants in the general U.S. or Michigan population. In addition, just as with the population as a whole, attorneys are aging: the largest cohort of attorneys is in the over-55 age bracket, while attorneys under 30 comprise just 5 percent of the profession. Immigrant law students and attorneys are, in general, younger and have many productive years ahead of them and, as a result, have the potential to reinvent the legal profession.

Aspects of Immigrant Law Students and Attorneys

Immigrant attorneys bring a unique perspective to the study and practice of law. The immigrant experience may not be a defining characteristic for immigrant attorneys, but it often allows them to be more empathic toward clients who are going through similar transitions, such as a serious illness or injury, divorce, or

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loss of employment or a loved one. Many immigrant law students also have a different perspective from their peers. Ekaterina Finley, who emigrated to the U.S. from Russia, believes that her experiences as an immigrant will affect her abilities as an attorney. On the basis of her work in the clinical programs at the University of Detroit Mercy, Ms. Finley observed, "[t]here is often a communication and cultural gap between our diverse clientele and their lawyers." She also noted that their diverse background, upbringing, education, and knowledge of languages and cultures allows immigrant law students to look outside the box, minimize communication gaps, and, ultimately, strengthen the bonds between lawyer and client.

Attracting Immigrants to the Bar

Two primary methods attract immigrants to the legal profession. One is to promote the profession as a career choice among young immigrants already present in Michigan. The entry of immigrants into the ranks of the legal profession is nothing new, as witnessed by the previous entry of Irish and Poles and many other nationalities to the bar. The only difference now is that immigration to Michigan is much more diverse among nationalities and cultures than was the case even one generation ago. Michigan is now home to Mexicans and Bengalis, Yemenis and Indians, Chaldeans and Hmong, Ukrainians and Chinese, Albanians and Congolese, just to name a few nationalities and ethnicities present in large numbers in Michigan.

Many older immigrants need to work hard to build a life for themselves and their families and do not have the time or money to invest in a legal education. Their children, however, have the benefit of an education in the U.S. and the ability to perform well academically and pursue post-graduate education, such as law school. The difficulty is that many young immigrants are not encouraged to develop their talents and energy to become attorneys. The path to becoming an attorney is blocked either by cultural barriers or financial hurdles.

The second means to promote an immigrant-rich bar is to actively recruit foreign students for admission to Michigan's law schools. While U.S. law schools continue to be attractive in the global legal education marketplace, there is a constant need for innovation to attract foreign students and provide them with a top-notch legal education that will serve them well, whether they

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choose to remain in Michigan or not. Every law school in Michigan recruits foreign students, and many offer examples of successful and innovative efforts to entice even more foreign students to come to Michigan for their legal education and perhaps to start their legal careers.

For example, the University of Detroit Mercy and the University of Windsor have collaborated for many years to offer a joint U.S.-Canada law degree program. UDM is now working with the Instituto Tecnológico y de Estudios Superiores de Monterrey, Mexico's leading private law school, to offer a "Degree of the Americas," which allows students to earn law degrees in the U.S., Mexico, and Canada. These programs are a magnet for foreign students, but also offer Michigan law students the opportunity to earn law degrees recognized in Canada and Mexico and gain better access to the global legal marketplace. Other innovative programs at Michigan's law schools are aimed at the same objective: increasing foreign student enrollment and promoting a rich learning environment.

How Can the Bar Help?

The State Bar of Michigan is an institution comprised of individuals, and there are institutional and individual actions that could foster an environment in which immigrants are encouraged to enter the legal profession. As an institution, the Bar could clarify admission requirements for immigrant students and ensure that immigrant students are clear regarding their ability to sit for the bar exam and become licensed attorneys in Michigan. The Bar could work with ethnic and cultural organizations to promote legal careers among immigrants and, in particular, among ethnicities that have not traditionally entered the legal profession. Several of the leading attorney organizations in Michigan could play a critical role in this process. For example, the Chaldean Bar Association and the Hispanic Bar Association are already a source of inspiration and encouragement for immigrants considering careers in the law.

As individuals, Michigan attorneys can make a tremendous difference in promoting the immigrant diversity of the bar. Michigan attorneys could actively hire and recruit immigrant law students as

interns, summer associates, and law clerks, and use that process as a means of evaluating candidates for employment after graduation. Attracting immigrants to the legal profession is a growth opportunity for Michigan law firms; attorneys who are immigrants have an instant connection with often untapped markets for legal services, and Michigan attorneys can play a critical role in promoting the economic development of businesses owned and operated by immigrants which, in turn, employ Michigan residents.

Why It Matters: It's Not (Just) the Economy

Immigrant law students and attorneys contribute to Michigan's bar by shifting the demographic downward and bringing new vitality and energy. Yet their most important contribution is less tangible. The U.S. remains a magnet for immigrants pursuing law degrees and foreign law students. The American respect for laws and legal structures is unparalleled anywhere in the world, and people from countries which, at times, lack that same respect are drawn to our sense of justice, fair play, and respect for the rule of law.

For law students and attorneys born and raised in the U.S., we may take the benefits of our legal system for granted. It is incumbent on all lawyers, whether in Michigan or elsewhere, to recognize that our legal system—while far from perfect—is the envy of the world, and to reach out and share our respect for the law with others. Doing so will help make our bar look more like America and ensure that our highest ideals are passed down from one generation of attorneys to the next—no matter where they were born. ■



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