

COMMENTARY

The Ongoing Struggle of Latina Women in Law

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Diversity

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Joanna Andrade Lehmann, senior litigation associate, EPGD Business Law. Courtesy photo

Despite advances, the legal profession continues to be a male-dominated industry. From private firms to public defenders and especially at district court levels, women attorneys struggle for an opportunity, even in 2022. For women lawyers of color, the barriers are even higher.

Currently, Latinas in the legal profession suffer the lowest representation of any racial or ethnic group as compared to their overall presence in the national population. Latina and Black women lawyers comprise less than 1% of partners in U.S. law firms.

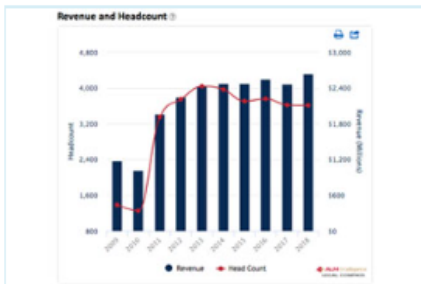
Here are some of the obstacles Latina lawyers face from an early age, through school, and into practice.

More Women in Law School, but Latinas Underrepresented

More women attend law school than men. In fact, women outnumbered men in law school classrooms for the past five years. Women law students made up 54.09% of all students in ABA-approved universities, compared to their male counterparts at 45.70%.

It's also a fact that there are more Hispanic law students. According to Michelle Adam in "A Changing World of Law for Latinos," law school applicant numbers for Latina women rose 40% in the past year. The same held for Latino men and women, with an approximate 8.5% increase.

While higher applicant and enrollment numbers show an improvement for Latina women, they earn fewer law degrees. Latinas rated just 5.8% of law degrees in 2020; 12.4% of law degrees were conferred to both Latino men and women.



Top 10 Law Schools for J.D. Enrollment of Latino and Latina Students

1. St. Thomas University
2. Florida International University (FIU)
3. St. Mary's University
4. University of LaVerne
5. Nova Southeastern University Florida (NSU)
6. The University of Miami
7. Thomas Jefferson School of Law
8. University of New Mexico
9. Western State College of Law
10. South Texas College of Law

Diversity Matters to Clients

How does your firm compare on diversity? Where are your competitors' strengths and weaknesses with Diversity? Use Legal Compass to compare firms on key metrics of race and gender diversity, and find out which firms are Mansfield Certified.

[Get More Information](#)

So why do Latinas comprise less than 2% of lawyers despite representing one in four women in the United States?

A major problem lies in Latin culture, where gender roles are highly specific and rarely questioned. Even today, Latina women are not always encouraged to seek educational and career opportunities from childhood such as law.

Culture of Toxic Masculinity

There is a presumption of male superiority within the Hispanic culture and machismo, a hyper form of masculinity, is cultivated early. Boys are expected to be tough and considered superior to girls. Latina women are raised—even those Gen X and millennials—with the idea that they have to support their boyfriends, husbands and fathers, even to the point of suppressing their own educational or professional goals.

Latinas Graduation Rates Among Lowest in America

To get to law school, you have to finish high school. Although Latinas have made promising strides in the last 20 years, they have the second-highest dropout rate of all demographics, except for Native American and Alaskan women. Although more Latinas are getting their GED, making the leap from high school dropout to college freshman is often too great.

Wage Gap and Occupational Segregation

Although higher education helps, it's not a guarantee of wage equality. Latina women typically earn 57% less than white men and 28% less than white women. Discrimination, bias, and lack of educational opportunities relegate Latinas to lower-paying jobs with no path to promotion.

Women Lawyers Face Gender and Race Bias

Even white women attorneys face an atmosphere of systemic misogyny in the courtroom. Women lawyers continue to be mistaken for anything but the attorney when in the courtroom. Over 50% of white women lawyers reported mistaken identity, compared to only 7% of white male attorneys. One female lawyer said, "I have frequently been assumed to be a court reporter. In my own firm, I've been asked if I am a legal administrative assistant on multiple occasions, even after making partner."

Women lawyers of color are eight times more likely to be identified as administrative assistants, court reporters or janitors. There is an added bias for women of color in law, specifically Latina lawyers. Latina attorneys are consistently mistaken for the court reporter, the paralegal, the interpreter or even the perpetrator. Women lawyers of color are scrutinized over their wardrobes and told how to style their hair. Imagine a male attorney criticized for his clothing choice or hairstyle—it just wouldn't happen.

Why Latina Representation Matters to Everyone

Research shows that ethnic, racial, cultural and gender diversity provokes thoughtful and robust analysis and solutions—the more diverse the law school, the more just and balanced lawyers it produces. Racial diversity among attorneys creates greater trust in the rule of law. As Judge Edward M. Chen, the first Asian American appointed to the U.S. District Court for the Northern District of California, observed:

“The case for diversity is especially compelling for the judiciary. It's the business of the courts to dispense justice fairly and administer the laws equally ... the branch of government ultimately charged with safeguarding constitutional rights, particularly protecting the rights of vulnerable and disadvantaged minorities against encroachment by the majority.”

Not Enough Latina Litigators

Statistics are sketchy for the exact number of Latina women litigators nationwide. Contrary to popular belief, not all Hispanic attorneys want to work in immigration or family law. These are certainly honorable, but what about finance, securities, criminal defense, environmental law or corporate law?

Paying It Forward as a Latina Litigator and Partner

As Latina lawyers, we continue to advocate for future generations and actively seek to give other Latina women the same opportunities. However, we can't do it alone. Everyone in the legal profession, including the majority who are white and male, starting with early education and exposure to the legal profession in middle and high school, needs to change the narrative.

To continue to pave the way for a new generation, we need to encourage and assist young Latinas interested in the legal profession.

What We Can Do

- Identify at-risk Latinas in middle and high school to prevent dropout
- Create mentoring organizations in subject areas and electives helpful to potential law students (writing, debate team)
- Provide access to financial aid to cover law school tuition
- Overcome discrimination and cultural biases from within the Latino community

Support Organizations for Latina Lawyers

There's strength in numbers. Here are some excellent organizations to support that work to encourage and assist Latina lawyers:

- **Latina Lawyers Bar Association (LLBA)**

For the past 22 years, the [Latina Lawyers Bar Association \(LLBA\)](#) has helped Latinas with a community of support. They provide resources, tools, networking, and scholarships.

- **Hispanic National Bar Association (HNBA)—Latina Commission**

Since 2008, the [Latina Commission of the Hispanic National Bar Association \(HNBA\)](#) has identified and helped provide solutions to barriers that Latina lawyers face.

Closing Thoughts

Despite the fact that Latinas represent one-fourth of American women yet are nearly invisible in upper management in many professions, including the law—we have complete faith that we can only go up from here, and that the future is bright. We have the dedication to be able to bring up a new generation of Latina women lawyers just by us being here, by showing up, by being the “first.” We do have power and influence by being “the only” Latina lawyer in the courtroom, because in a sense we are saying “we need more of you, join us. Let’s make the change.”

In 2009, U.S. Supreme Court Justice Sonia Sotomayor became the third woman in history to serve on the nation’s highest court. She is the first Hispanic, first Latina, and first woman of color to serve on the Supreme Court. While we still have ways to go, we know that she won’t be the last Latina or POC on the Supreme Court. As Latina lawyers we have to realize that we are the change-makers, we are living in history, and that not only do we strive to win in the courtroom but to win in the changing of society.

That’s a case we all are proud to take on.

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