

## **Applying to Law School: Questions and Answers for Students with Disabilities**

Applying to law school is a stressful, difficult process for anyone, but a number of unique issues arise for applicants with disabilities. How you should address these issues will vary according to your situation and other personal factors, but the following are the National Association of Law Students With Disabilities (NALSWD)'s general recommendations about disability disclosure on law school applications.

The tone of this advice will be direct and sometimes even blunt, but our goal is to encourage a realistic appraisal of your application's strengths and weaknesses. Disability is often a very sensitive issue and choosing to disclose it, on what is already a high-stakes application, can be a challenging decision. However we want to give you the best possible advice to increase your chances of being admitted to law school. While admissions officers do have a human side, the law school admissions process is very hard-nosed. Faced with a deluge of applications and intense pressure to increase their school's numerical profile, it is unreasonable to expect admissions officers to go out of their way to show empathy for your situation. Only YOU, by presenting yourself and packaging your disability in a positive and forthright manner, can convince admissions officer that regardless of – or maybe even because of – your disability, you are a strong and well-rounded applicant!

**Q: If I have a disability, do I count as an underrepresented minority (URM)?**

**A: No.**

Underrepresented minority (URM) status is a label given to certain racial and ethnic populations that are underrepresented in the legal profession relative to their numbers in the general population. In order to cultivate diversity and to recruit and retain minority students, law schools are very committed to increasing representation from URM groups and may give such applicants a numerical boost on their applications. However, the URM label and the possible quantitative bonus it brings are available only to members of a few strictly defined racial and ethnic groups. For admissions purposes, applicants with disabilities are generally not considered an underrepresented minority.

Though you may question this logic in light of the underrepresentation of people with disabilities in the legal field and the pervasive discrimination they face, pursuing such arguments as an individual applicant is highly unlikely to change admissions policy.

However, if presented positively, being a student with a disability can definitely count as a “diverse perspective” you can bring to the class. This “diverse perspective” may be a strong “soft factor.” But like the situation of LGBT students, just saying “I have a disability” and expecting it to work as an automatic boost will get you almost nowhere. Instead, you need to present your disability in terms of how it has shaped your worldview, the causes it has inspired you to join, and the positive character traits you have demonstrated in response to challenges your disability may have posed. Like everything else in your law school application, you should show these characteristics through concrete examples whenever possible.

**Q: If I don't get a hard numbers boost, should I disclose my disability on my application at all?**

**A: It depends on your disability.**

In making this decision, you should think realistically about how the public perceives your disability – no matter how right or wrong or horrifically bigoted these views may be. You must also examine how having your disability has affected your life and academic performance.

Admissions officers are always primarily concerned with whether any given applicant would be able to successfully complete what is, after all, a very demanding and stressful course of study. In your application, you must convince the admissions officer that you are capable of succeeding in such a rigorous environment by highlighting your past achievements. Nonetheless, convincing the admissions officer that you will continue to be successful in the future will require you to be realistic about the prejudices people may have about the capabilities of people with your disability. While the law clearly forbids discrimination in admissions on the basis of disability, in the complex multi-factor evaluation of law school applications, proving discrimination, even if consciously committed, is next to impossible. And discrimination happens. It isn't right, it isn't fair, but it happens (though usually unconsciously). The smartest thing you can do is to make the right choices with your application so it doesn't happen to you.

Our general advice is that if your disability is going to come up in your application anyway – because you had to take a semester off for health reasons or had terrible grades for a term due to illness or lack of accommodation – it is best to be straight-forward and disclose your disability. If you don't offer the explanation for those negatives, you're likely to be rejected anyway. You just need to make sure that you disclose your disability in the most positive light possible (see below).

If, however, there is nothing in your application that would lead an admissions officer to suspect you have a disability – no jobs or activities that might raise the issue – it is a harder question.

First and foremost, you need to look realistically at the degree of prejudice someone with your disability faces. If your disability is any sort of mental illness or cognitive impairment that may be perceived as impairing your intellectual functioning, or if your condition is perceived as fatal or contagious, we would strongly caution you against disclosing unless necessary and to be very careful about how you present your condition if you do. The chance that you will encounter prejudice that will affect your admission is high and no one needs to be an application martyr.

However, if perceptions of your disability are not hopelessly negative, you may want to disclose. Then it becomes a case of how important having a disability is to your self-identity and your worldview. Having a disability puts you under no obligation to disclose. On the other hand – as long as there isn't an obvious high risk of a negative reaction – disclosing can potentially help your application and can be a positive self-expression of pride. Moreover, such disclosure can help you to feel secure in the knowledge that any school that accepts you knowing about your disability, feels you can succeed at their law school as the person you are.

**Q: If I choose to disclose, how should I do it?**

**A: If you are disclosing defensively – to explain a problem with your application – the most appropriate place to disclose is in an addendum. If you are disclosing positively – to present your disability as important to your worldview, career choices, etc. – then the best place to disclose is in your diversity statement.**

Disability Addendums: Write an addendum if there is a concrete problem with your application that you need to address. For example, if you had bad grades due to an illness, a poor LSAT score due to lack of accommodations, or had to take a leave of absence for health reasons. If you don't present the disability related reason for the problem, the admissions officer will assume you got bad grades because you didn't study, did poorly on the LSAT because you're not that smart, or took time off school because you're not very committed to your studies. You want the admissions officer to know that your application may not be as strong as someone else's because you had to confront obstacles that other people didn't face.

As long as it is true. DO NOT invent a disability excuse. Lying on any part of your application is a time bomb for your future career and fake disability claims are usually very easy to spot. Any falsifications can be used to prevent you from passing the bar, could get you kicked out of law school, and can keep you from ever practicing law. It is also incredibly bad karma. Don't do it.

Addendums should be very brief, very fact-based, and should not include unnecessary details, whining, unfounded speculations, or bids for pity of any kind. The message of an addendum should be "this was the problem, this was the cause, here is how I will keep this from holding me back in the future." This isn't the place to get into blame, excuses, or wild conjectures about what might have theoretically been possible. Just provide the straight facts, as plain as you can make them. Do give your diagnosis, but do not volunteer medical details or extraneous symptoms.

*Example of a BAD Addendum:* "I was born with cerebral palsy. As a child, I used to walk with crutches and a leg brace, and the kids at school would make fun of me, but with the support of my parents, I continued to excel in school and in college. Cerebral palsy is a non-contagious motor condition that has affected my muscle control over my jaw, arms, and legs. It also affects the way I move my head and occasionally, my face can twitch. This can make it hard for me to breathe; talk clearly; and bite, chew and swallow food. I cannot drive a car or operate heavy machinery because of my coordination problems. Because of this condition I think that my LSAT score should be at least 5 points higher, as my prelaw counselor never helped me get accommodations for testing."

If any part of your addendum looks like the example above, rewrite it! While it lists the specific diagnosis, which is helpful, it also includes too much medical detail and it is unclear which symptoms really relate to the problem. A problem which isn't identified until the last sentence – this is apparently a "bad LSAT score" addendum. This example also includes a bid for pity (kids made fun of me), blames someone else (the counselor never helped me), and – and this is subtler – gives credit for the applicant's past success to help from their parents. The admissions officer wants to admit someone who is independently capable of achieving success, so you want to be

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careful about inserting information that might be read as taking away from what you have accomplished. Finally, making any sort of unsubstantiated claim about what your score “should be” is unlikely to be believed. You might say that the lack of accommodation affected your score negatively, but no one can say that they know by how much. Being objective about your own disability – and about your own writing – can be very difficult, but it is very important that you get the tone and substance of this addendum right. Definitely worth getting a second opinion from a friend before you submit the addendum in order to make sure it conveys only the message you intend.

*Example of a **GOOD** Addendum:* “My second semester of college, I was diagnosed with rheumatoid arthritis. As a result of that illness, I missed four weeks of class, which negatively impacted my grades for that semester. However, I found appropriate treatment, have not had any further attendance problems, and my grades bounced back to their normal high level the following term, as you can see by my transcript. Medical documentation available upon request.”

The good example is short, to the point, as neutrally phrased as possible, and whining free. Ending with the phrase “Medical documentation available upon request,” makes it clear that you are not making this up and that you can provide proof if they need it. However, it is very rare that it will be requested as long as your explanation matches up with the hard facts they can already see in your transcript and application.

Disability Statements: Your experiences as a person with a disability can be a wonderful topic for a diversity statement and that is the ideal place to disclose your disability in a positive way. Do not use the diversity statement as a platform for discussing any of the topics best described in an addendum (see above) and do not include any of the functional or medical details that might be necessary in an addendum, but are out of place here. You should emphasize any unique perspectives having a disability has given you or any unusual experiences you have had as a result of your disability. Your diversity statement should also not be a sob story. Attractive law school applicants are independent, strong-willed, open-minded, and have a plan for their lives. Bids for sympathy work against that. You want to be an active participant in the narrative of your life, not a passive victim. Broad experiences, overcoming obstacles, and embracing causes can all be big soft factor pluses that can make an applicant stand out.

We strongly recommend you share these types of experiences in a diversity statement rather than your personal statement. That’s because you want to use the space in the personal statement to present yourself as a well-rounded applicant. While having a disability might be an important part of your identity, it probably isn’t the sum total. Since the diversity statement provides you with space to show off your disability side, you should use the personal statement to show the admissions officer a different facet of who you, perhaps something related much more directly to why you want to go to law school or why you would make a great lawyer. You probably only want to bring up disability in the personal statement if you want to go to law school to pursue working on the cause of disability civil rights or some other disability related legal issue.

Note that if you disclose your disability in your diversity statement and it otherwise isn’t mentioned in the application, you probably want to include a short addendum. That’s because mentioning your disability may make the admissions officer wonder if – despite no apparent

problems in your application – you, in addition to your positive worldview, have any academically pertinent functional limitations because of your disability. This addendum can be very brief, something like, “As mentioned in my diversity statement, I was diagnosed with rheumatoid arthritis in 2006. I have found a very successful regimen of treatment and have been able to complete a demanding academic curriculum despite my illness, as you can see by my transcript.” Just something to shut that thought down before any potentially prejudicial speculation arises.

**Q: How will disclosing help me?**

**A: It all depends on what you are disclosing, how well you package your disability, and how strong an applicant you are, all disability factors aside.**

Having a disability can be the kind of experience that a law school can value and which, if presented well, may increase your chances of being admitted over those with similar scores. However law admissions remains almost entirely a numbers game. That doesn't mean - as too many anxious people applying interpret it - that your scores have to be in the top 25% or even in the middle range for a particular school to have any chance there. If you have a disability or other external reason for why your numbers may not represent your true potential, you may still have a substantial chance of admission even if you fall low in a school's bottom quadrant. But remember that even the URM boost is only worth maybe a few points on the LSAT. Aim high, dream big, polish all of the non-quantitative portions of your application to make them shine, but also make sure that you apply to a range of schools and to at least a couple of “safety schools” for which you are already a strong candidate based on your GPA and LSAT score.

**Q: My disability is a mental illness and I'm worried that disclosing might be a barrier to future admission to the bar. Will it be?**

**A: Depends on your diagnosis and the state you plan to practice in.**

If this is an issue for you, you need to find out TODAY what you are up against. Active Minds, an organization for undergraduates with mental illnesses, has put together a great resource for checking state-by-state bar requirements for “moral character and fitness” that can be found here: <http://www.nalswd.org/publications.php>. Look up the requirements for any state in which you are planning to practice. Give yourself the information you need to make an informed choice about where you want to go to law school and how feasible it will be to practice law in your desired state.

**Q: What law school should I apply to if I have X disability? /Which law schools are good for students with disabilities?**

**A: Accommodation for disability is only one of the factors to consider in choosing schools to apply to and other considerations should probably have more impact on your decision.**

It is true that law schools vary in their commitment to law students with disabilities, and it is wise for applicants to consider the availability of accommodations, the portion of the student

body with disabilities, and the school's over-all openness to law students with disabilities. However, variations between schools are currently so small that these considerations should probably not be as important as many others in deciding where you should apply.

By far the most essential factors in determining the best school for you include geographical location (where do you want to practice after you graduate?), your personal and professional goals, and your chances of admission. Like everyone else, students with disabilities should apply to a range of schools, including a handful of "reaches," as well as several "safety schools" based on your GPA and LSAT score. Because disability is a factor that could make your cycle less predictable – a soft boost here, a bit of discrimination there – applying to a range of schools is all the more important.

Once you have a list of schools, reach out to any contacts you have at that school to ask questions relevant to your specific disability related needs or concerns. If you don't know anyone personally, you can contact NALSWD and we will try to put you in touch with a student member or alumni familiar with that law school. We also recommend that applicants contact a school's disability resource office to ask questions about the accommodations process at that school.

**Q: When evaluating schools, what questions should I ask disability resource officers?**

**A: Should you enroll, the disability resource office at that school will be your key resource for accommodations, so you should ask all of the practical questions about the accommodations process at that school before you accept.**

Gather as much information as you can about a school before you apply or accept an offer of admission. We highly recommend contacting the disability resource office or meeting with the disability resource officers at that school. These officers will be some of the most important advocates you have in obtaining accommodations while you are in law school. During your visit, make sure you get answers to the following questions:

1. My disability is \_\_\_\_\_. In order to do well and succeed in law school, I need the following types of accommodations \_\_\_\_\_. Is this something the law school can provide for me? Are there other students at the school who have my disability? If so, what kinds of accommodations are they receiving? Can you recommend other accommodations that might be helpful for someone like me?
2. What kind of documentation or testing requirements do you need in order for me to receive an accommodation?
3. Can you explain to me the accommodations request process for homework assignments? For exams?
4. Are accommodations given anonymously? Will other administrators or professors know that I have requested an accommodation?
5. How does your office respond to changing medical circumstances? Is there someone I can contact if the accommodations I need should change suddenly and how responsive is the school to those situations?
6. What is the school's policy for leaves of absence or reduced course loads?

## **Conclusion**

This is by no means an exhaustive list of questions and answers and only you can decide if our advice is right for you and your situation. As long as you approach the application process with professionalism and maturity, you will be on the right path. We provide this advice only as a guide to help applicants with disabilities learn from our collective experiences in applying to and being accepted to law school. If you have any questions, please feel free to contact us – our core mission at NALSWD is increasing access to the legal profession, and that begins from the moment you apply to law school. We hope that you will find a school that is right for you and that you will consider joining our organization once you are a student!

Best of luck!

~The National Association of Law Students With Disabilities