



TO: Lauren Noble, Executive Director – The Buckley Institute
FROM: Rob Schmidt, Inquire
Re: National Law School Student Study – Executive Summary
Date: June 6, 2024

Below are the key findings from our national study of law school students on behalf of the Buckley Institute.

Part I – The First Amendment, Free Speech and Intellectual Diversity

Nearly all students believe the First Amendment is important and needs to be followed and respected, but there is more nuance when it comes to interpretation. Most agree that law schools should try to expose students to faculty with a wide range of ideological perspectives, yet one third often feel intimidated in sharing their ideas because they are different than their professors. Exactly half are often intimidated when it comes to sharing views different than their classmates.

- By an overwhelming 95% to 2% margin, students say the First Amendment is an important amendment that still needs to be followed and respected in today’s society as opposed to an outdated amendment that can no longer be applied in today’s society and should be changed.

- By a nearly two to one margin, students say the First Amendment should be interpreted to extend the widest protections to speech, even speech considered offensive or hateful by some (62%), rather than interpreted to exclude some speech considered hateful or offensive by some (33%). There are notable differences by key demographics.
 - Students in Top 14 schools were most likely to say the First Amendment should be interpreted to extend the widest protections to speech, 77% to 13%.
 - 1L students were split, 49% “widest protections” to 46% “exclude speech,” while 2L (73%/21%) and 3L students (65%/33%) were more decisive in their opinions.
 - Trump voters said “widest protections” by a 97% to 0% margin, while RFK Jr. voters (55%/45%) and Biden voters (41%/49%) were more divided.
 - Men (73%/29%) were more likely than women (57/37%) to say “widest protections.”

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- Six in ten (62%) said faculty members and school administrators at their law school do a good job encouraging free speech and intellectual diversity while 27% said they need to be doing a better job.
 - Students in Top 14 schools were relatively divided, 46% “good job” versus 40% “better job.”
 - 1L students said “good job” by a 77% to 9% margin while 2L (57%/31%) and 3L students (58%/35%) were less likely to say “good job.”
 - By ideology, moderate students were most likely to say “good job” at 76%, followed by liberal students (60%/29%), and conservative students, who were split (40%/42%).
 - Female students (67%/25%) were more likely to say “good job” than male students (55%/30%).

- By a 94% to 5% margin, students agreed that “law schools should try to expose students to faculty with a wide range of ideological perspectives.”

- Slightly more than one in four (27%) agreed that “law school should NOT accept students who hold perspectives considered by some to be offensive or disgusting.” Nearly seven in ten (68%) disagreed with this statement.
 - Agreement was highest among liberal students (47%), compared to just 13% of moderate students and 7% of conservative students.
 - More than four in ten Biden voters (42%) agreed with this statement, compared to 35% of RFK Jr. voters and just 2% of Trump voters.

- One in three (34%) said they have often felt intimidated in sharing their ideas, opinions or beliefs about the law in class because they were different than those of their professors, while 65% have not often felt intimidated.
 - By school, intimidation is highest among those in Top 50 schools, at 47% who are often intimidated.
 - The majority (56%) of Trump voters report often feeling intimidated, compared to 39% of RFK Jr. voters and 20% of Biden voters.

- By contrast, exactly half (50%) said they have often felt intimidated in sharing their ideas, opinions or beliefs about the law in class because they were different than those of their classmates, while the other 50% have not often felt intimidated.
 - Again, there are significant differences by presidential preference as 72% of Trump voters report often feeling intimidated, compared to 49% of RFK Jr. voters and 39% of Biden voters.
 - In total, this is a 16-point swing of intimidation between professors (34%) and classmates (50%). The shifts are more pronounced among Republicans (46% to 71%; +25), Asian students (12% to 36%; +24) and students in the Top 51-100 schools (22% to 45%; +23).



- Just 16% said they have often felt pressured to participate in a political activity or demonstration that they disagreed with out of concern for academic or social consequences. Greater than eight in ten (83%) have not often felt intimidated.

Part II – Attitudes Towards Law and Practice

Majorities of law school students believe the LSAT and Bar exams are unfair evaluations. Significant majorities would represent a guilty client or client of a different political party out of duty to the law and the legal system.

- A majority (54%) agree that “the LSAT exam is an unfair way to evaluate prospective law school students. Schools should disregard the LSAT when considering applicants.” Forty-four percent (44%) disagree.
 - Students in 100-197 ranked schools were most likely to agree with this statement, at 67%.
 - Nearly two-thirds of liberal students (65%) agree while moderate students split 48% agree/50% disagree, and 60% of conservative students disagree.
 - A gender gap exists as female students agree 61% to 34% and male students disagree 57% to 44%.
- A slightly higher 57% agree that “the bar exam is an unfair way to determine if a prospective lawyer should be permitted to practice law. The bar exam should be eliminated in favor of another type of evaluation that is fairer.” Thirty-five percent (35%) disagree.
 - Students in Top 50 schools are most likely to agree, at 65%.
 - There are once again differences by ideology as liberals are most likely to agree, 63% agree to 32% disagree. However, on this question, conservative students are slightly more likely to agree (55%/36%) than moderate students (51%/36%).
- By a 69% to 28% margin, students believe it is more important to ensure that the work they do advances a more socially just and equitable legal result rather than to ensure that their client gets a winning or favorable result.
 - Students in Top 14 schools are divided at 46%.
 - The desire to win or obtain a favorable result increases by class year – 16% for 1L students, 29% for 2L students and 36% for 3L students.
 - Two-thirds (65%) of Trump voters prioritize a winning result, while 87% of Biden voters and 62% of RFK Jr. voters prioritize the advancement of a more socially just and equitable legal system.
 - There are significant differences, once again, by gender. As men split 50% winning/49% socially just, compared to 80% of women who prioritize socially just and equitable.



- By an overwhelming margin of 70% to 14%, students could represent a guilty client out of duty to the law and the legal system. By an even more lopsided margin of 90% to 3%, students say the same about representing a client they strongly disagree with politically.

Part III – Attitudes Towards the Supreme Court

Most said the Dobbs decision was based more in politics than in law, yet two-thirds believe the alleged leak of the draft opinion by a clerk was wrong.

- By a 73% to 18% margin, law school students said the *Dobbs* decision was based more in politics than law.
 - Nearly nine in ten Democrats (86%) said the decision was based more in politics, as did 75% of Independents. Exactly half of Republicans (50%) said the decision was based more in law, while 40% said based more in politics.
 - Eight in ten females (82%) said the decision was based more in politics than law, compared to 59% of male students.
- A plurality (46%) said the *National Federation of Independent Business* decision that upheld large parts of the Affordable Care Act as constitutional was based more in politics than in law, compared to 33% who said the decision was based more in law than politics. A large 22% were unsure.
 - Despite opinions on this decision being more divided, political undertones are again evident. Six in ten Republicans (63%) said the decision was based more in politics, while Democrats divided 38% “politics” to 37% “law.” Independents were similar to all students, 45% to 38%.
- By a greater than two to one margin, students said it was wrong for a law clerk to have allegedly leaked the draft *Dobbs* opinion because it is unprecedented and shatters the norms of our justice system (66%). Three in ten (29%) said it was entirely justifiable for a law clerk to have leaked this draft opinion because it was a monumental ruling that impacts millions of Americans who have a right to know.
 - It is important to note that majorities of all key demographics said the alleged leak was wrong. However, there are some noteworthy differences. Almost four in ten liberal students (38%) said the leak was justifiable, compared to 30% of moderate students and only 5% of conservative students.

Part IV – Miscellaneous Issues

Most law school students believe criminal law practitioners should extend special sympathy to the victims of crimes rather than the perpetrators of crime. Exactly half believe systemic racism should be recognized and members of disadvantaged groups should be supported even at the direct expense of members of advantaged groups. President Biden leads in the presidential contest, but a significant share remains undecided.

- The majority (53%) believes criminal law practitioners should extend special sympathy to the victims of crimes because the rule of law is paramount and people are entitled to basic rights of safety and security. One in three (29%) believes criminal law practitioners should extend special sympathy to perpetrators of crimes because oftentimes these people are facing difficult circumstances and systemic injustices that cause crime.
 - While 68% of Republicans and 57% of Independents are partial to victims of crimes, Democratic students split 43% “victims” to 41% “perpetrators.”
 - By ideology, the contrasts are clearer. Nearly eight in ten (77%) conservative students are partial to victims of crimes, while 44% of liberal students are partial to perpetrators and 39% are partial to victims. Moderate students are similar to all students, 56% to 17%.

- When given a choice, 50% of students said America and its public and private institutions should recognize systemic racism in society and support members of disadvantaged groups even at the direct expense of members of advantaged groups. Forty-two percent (42%) say there should be a pursuit of a color-blind society where all individuals are treated the same regardless of their gender, race, religion or ethnicity.
 - Students in Top 50 schools said “color-blind” by a 56% to 44% margin.
 - Biden voters said “recognize” by an 82% to 10% margin while Trump voters said “color-blind” by a 91% to 3% margin. RFK Jr. voters said “color-blind” by a 53% to 35% margin.
 - White and Asian students said “color-blind” 50% to 44% and 53% to 40%, respectively, while Black and Hispanic students said “recognize” 77% to 22% and 68% to 13%, respectively.

- In the 2024 presidential contest, Joe Biden leads with 27%, followed by Donald Trump at 17% and Robert F. Kennedy Jr. at 16%. Jill Stein received 3% and Cornel West received 2%. A high 28% were undecided and 8% said they would not vote.
 - Trump has higher partisan and ideological intensity than Biden, as Trump receives 64% of Republicans and 64% of conservatives. By contrast, Biden receives 44% of Democrats and 46% of liberals. Democrats and liberals (30% each) are more likely to be undecided than Republicans (20%) and conservatives (19%). RFK Jr. has higher vote shares among moderates (25%) and Independents (23%).



Methodology: Inquire conducted a national survey of 232 law school students from April 25th to May 25th, 2024. All participants had to indicate that they were currently enrolled in one of the 197 law schools accredited and approved by the American Bar Association (ABA). Respondents were invited to participate via advertisements on various social media applications and websites. Interviews were completed in a self-administered fashion on a secure online platform. Data for this survey have been stratified by race/ethnicity, gender, class year and school using the 2023 ABA Standard 509 Information Report (JD Enrollment and Ethnicity) to reflect the actual demographic composition of current law school students in the United States. According to this 2023 ABA report, there were approximately 116,823 students enrolled in law school. This poll of 232 law school students has an accuracy of +/- 6.4% at a 95% confidence interval. The error margin increases for cross-tabulations. Totals may not add up to exactly 100% due to rounding, refusals and the ability for respondents to give multiple answers to certain questions. All surveys may be subject to multiple sources of error, including, but not limited to question wording and ordering, sampling error, coverage error and measurement error.

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