
The River That Powers Us: A Tribute to Dean Emeritus Kevin R. Johnson, His Steadfast Commitment to Diversity and Excellence, and His Legacy of Impact

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This Essay pays tributes to Dean Emeritus Kevin R. Johnson's extraordinary contributions to the growth and successes of full-time Latinx faculty and other faculty of color within the legal academy. To do so, it utilizes the recent, inaugural study of faculty by the Association of American Law Schools (AALS) to situate the legal academy's progress with the diversification of its faculty within a longer trajectory and then illustrates how such gains over the past three decades are the product of intentional, sustained intervention rather than organic institutional and societal evolution. The Essay begins by tracing the lineage of this progress to the advocacy of pioneering academic leaders of color, such as Professor Michael Olivas, whose

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public critiques and the influential “Dirty Dozens” lists exposed structural exclusion and inspired national accountability efforts. The Essay then turns to the transformative contributions of Dean Emeritus Kevin R. Johnson, focusing first on how his work as a mentor, scholar, and institutional leader enabled, benefited, and enhanced the academic and leadership career of the author, Angela Onwuachi-Willig, who began her career as a tenure-track faculty member under the tutelage and mentorship of then-Associate Dean Emeritus Johnson at the University of California, Davis School of Law (Martin Luther King, Jr. Hall) and who now serves as Dean of Boston University School of Law. The Essay then details how Dean Johnson’s mentorship opened up pathways to and within legal academy for large numbers of faculty of color, which ultimately seeded broader cultural change within the legal academy. The Essay concludes by identifying the ongoing responsibilities of law school leaders to build upon the foundation set by Dean Emeritus Johnson, using data and findings from the AALS law faculty study to highlight areas of concern and potential future growth and advancement within legal academia.

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INTRODUCTION

In its first ever study of full-time faculty at law schools in the United States, the Association of American Law Schools (AALS) reported a meaningful demographic shift among incoming law faculty, particularly with respect to race and ethnicity.¹ Noting that twenty-six percent of

¹ See ASS'N OF AM. L. SCHS. & NORC AT THE UNIV. OF CHI., AMERICAN LAW SCHOOL FACULTY STUDY 11, 28, 32 (2024) [hereinafter FACULTY STUDY].

the faculty in its 2024 study were Latinx² and faculty of color,³ the AALS reported that thirty-seven percent of law faculty who entered teaching

² Throughout its study, the AALS used the term “Hispanic” to mean “Hispanic or Latino/a/x.” *Id.* at 22. In this Essay, I follow the more widespread practice of using the term “Latinx” to refer to individuals with ancestral or direct heritage in Latin America. See, e.g., Kevin R. Johnson, *Systemic Racism in the U.S. Immigration Laws*, 97 IND. L.J. 1455, 1472-77 (2022) (using the term “Latinx” to refer generally to people from Latin America throughout the article); Ediberto Román & Ernesto Sagás, *Rhetoric and the Creation of Hysteria*, 107 CORNELL L. REV. ONLINE 188, 216 (2022) (same); Jasmine B. Gonzales Rose, *Color-Blind but Not Color-Deaf: Accent Discrimination in Jury Selection*, 44 N.Y.U. REV. L. & SOC. CHANGE 309, 312 n.19 (2020) (same). I use the term “Latinx” instead of “Hispanic” because the term “Hispanic” is a reference to language, “referring to people from or with a heritage rooted in Spanish-speaking Latin American countries or Spain.” *Latine vs. Latinx: How and Why They’re Used*, DICTIONARY.COM (Sept. 26, 2022), <https://www.dictionary.com/e/latine-vs-latinx> [<https://perma.cc/5B59-NWW4>]; see also BOS. UNIV. CTR. FOR ANTIRACIST RSCH., COMMENT LETTER ON NOTICE OF INITIAL PROPOSALS FOR UPDATING OMB’S RACE AND ETHNICITY STATISTICAL STANDARDS 4 n.15 (2023), <https://www.bu.edu/antiracism-center/files/2023/04/2023.4.25-BU-CAR-Comment-on-Proposals-for-Updating-Race-and-Ethnicity-Statistical-Standards.pdf> (on file with the *Columbia Law Review*) (“‘Hispanic’ has a colonial history. The term de-emphasizes Latino/a/e connection to the Americas and emphasizes Spanish heritage over Indigenous and African heritage. ‘Hispanic’ also excludes the population descended from Latin America who do not share Spanish as a heritage language, but who may have similar racialized experiences . . .”). I also prefer to use the term “Latinx” because it is more “inclusive of [people from] countries where Spanish is not the most widely spoken language, such as Brazil.” *Latine vs. Latinx: How and Why They’re Used*, *supra*. Furthermore, I use the term “Latinx” instead of “Latino” and “Latina,” which are the masculine and feminine forms, respectively, of the word, to avoid gendered language when our intention is to be gender inclusive and to be inclusive of individuals who do not identify as either a man or a woman. See *id.* Although the term “Latinx” has no Spanish pronunciation and another term growing in favor, “Latine,” does have a Spanish pronunciation, I use the term “Latinx” instead of “Latine” because “Latinx” is currently the more commonly used term in legal scholarship; thus, it is more readily recognizable as an intentional use of a gender-neutral term. I use the term “Latinx” “here with the awareness that [it] may be imperfect.” Cf. BOS. UNIV. CTR. FOR ANTIRACIST RSCH., *supra*, at 4 n.15.

³ According to the AALS Faculty Study, this twenty-six percent aligned closely with both the faculty data on the 2023 ABA Standard 509 Information Report (twenty-one percent) and similar data concerning faculty “across academic disciplines at US degree-granting universities and colleges in 2022” (twenty-eight percent). FACULTY STUDY, *supra* note 1, at 22. Because “[c]onsistent with US Census practices,” a faculty member who identified as Hispanic or Latinx was “coded as Hispanic, even when they identified with any other race or ethnicity,” and the AALS used the phrase “Hispanic faculty and faculty of color” or “Hispanic faculty or faculty of color” when discussing all faculty who are

within five years of 2024 (zero to five years of teaching) were Latinx faculty and faculty of color⁴ as compared to just eighteen percent of faculty teaching thirty-one or more years, twenty-five percent teaching twenty-one to thirty years, and twenty-nine percent teaching eleven to twenty years.⁵ The AALS also shared that Latinx faculty and faculty of color are more likely to be in tenure-track positions than non-tenure-track positions by a margin of forty-two percent to nineteen to twenty-five percent among classroom faculty and by a margin of forty percent to nineteen to twenty-three percent among clinical or legal writing faculty.⁶ These new data are remarkable in light of the fact that faculty from “minority ethnic groups” comprised only 30.7% of the combined tenure-track faculty cohorts entering in 1990 and 1991 and 24.4% of the combined tenure-track faculty cohorts entering in 1996 and 1997.⁷ Given this context, these data should be celebrated.

However, as this Essay will detail, such growth among Latinx faculty and faculty of color in the legal academy is not part of a natural progress narrative. Rather, it is the result of significant and deliberate efforts, over decades, by numerous Latinx faculty and faculty of color leaders; several allies; and different centers, conferences, and organizations. For instance, the growth in Latinx law faculty over the years was sparked by the courage of the late Professor Michael Olivas, former President ad interim of the University of Houston Downtown, who publicly agitated

frequently referred to as faculty of color. *Id.* at 19. The term “faculty of color” in the AALS Faculty Study includes the following groups: “Black (Black or African American),” “Multiracial (identified as multiracial or selected two or more races),” and “AA/AIAN/NHPI/MENA (Asian or Asian American, American Indian or Alaska Native, Native Hawaiian or Pacific Islander, Middle Eastern or North African).” *Id.* The Multiracial category does not include any faculty who identified as “Hispanic.” *Id.*

⁴ For the sake of maintaining consistency with the language in the AALS study, which I repeatedly refer to in this Essay, I use the phrase “Latinx faculty and faculty of color,” though in past writings, I have always simply included “Latinx” faculty within the group “faculty of color.” I appreciate that the AALS made this distinction so it could report details about the distinct experiences in the legal academy even among different groups of faculty of color.

⁵ *See id.* at 28 fig.9.

⁶ *See id.* at 30 fig.11.

⁷ RICHARD A. WHITE, THE PROMOTION, RETENTION, AND TENURING OF LAW SCHOOL FACULTY 8 (2004) (performed for the AALS Committee on the Recruitment and Retention of Minority Law Teachers).

for the hiring of more Latinx faculty at law schools across the country for decades.⁸ Beginning in 1982, Professor Olivas openly began to criticize law schools in the United States for the dearth of Latinx law professors, with Latinx law professors then totaling a sum of twenty-two faculty at fifteen law schools, with one school, the University of New Mexico School of Law, employing five of those twenty-two faculty.⁹ Ultimately, Professor Olivas's criticisms morphed into the publication of an annual Dirty Dozens list, which, in its first iteration, "named, and shamed, the twelve ABA-approved law schools within the continental United States that had no Latinx faculty members, despite having characteristics that should have compelled them to do so," and which gave honorable mentions to others that "had very few or even no Latinx law faculty members despite being located in states with large Latinx populations."¹⁰ From October 1989 to November 1999, the Hispanic National Bar Association (HNBA) annually approved and publicized the Dirty Dozens Lists, which Professor Emile Loza de Siles asserts helped "to advance Latinx law faculty representation in the country's law schools and to pave the way for Latinx students to follow the law to power, influence, and greater justice and economic futures for *la gente*."¹¹

Still, to my mind, no academic has done more than Dean Emeritus Kevin R. Johnson, a mentee of Professor Olivas and also the Mabie-Apallas Distinguished Professor of Law, Director of the Aoki Center, and Professor of Chicano/a Studies at the University of California, Davis School of Law, Martin Luther King, Jr. Hall (King Hall), to change the face of the legal academy and the scholarly landscape in law, both directly and indirectly. Throughout his career, Dean Emeritus Johnson worked hard to build and mentor an exceptional band of racially and

⁸ See Emile Loza de Siles, *iWe Count! The Enumerated History of the Latinx Legal Academy: Part One, Beginnings to 1990*, 23 SEATTLE J. FOR SOC. JUST. 595, 626-46 (2025) (providing a history of how the annual Dirty Dozens list was created and Professor Olivas's role in the list's creation and publication by the Hispanic National Bar Association for twelve years).

⁹ See *id.* at 626.

¹⁰ *Id.* at 632 (explaining that "a Latinx *student parity* score of zero [would land] a law school on the Dirty Dozen List" while "a Latinx *population parity* score at or near zero [would place] a law school on a dishonorable mention on the List").

¹¹ *Id.*

ethnically diverse scholars that could demonstrate every single day how “diversity and excellence go hand-in-hand,” just as he and the late, great Dean Rex Perschbacher, his predecessor at King Hall, sought to show.¹² Critically, Dean Emeritus Johnson made sure that this deliberate, strategic, and hard-fought work would persist beyond him. At King Hall, Dean Emeritus Johnson and professor colleagues like Evelyn Lewis, Al Brownstein, Mahdavi Sunder, Anupam Chander, Tom Joo, Cappy White, Marty West, Cruz Reynoso, and Amagda Pérez built a culture of support and mentoring that enabled junior Latinx faculty and faculty of color like me, who came into the academy completely green, to thrive. As important, Dean Emeritus Johnson shared his wisdom on building such diversity and support with others, not only so others could individually thrive in their own work as faculty and leaders, but also so they could build on his important work in making the legal academy more inclusive and more reflective of the populations around it. For instance, in 2016, he, in a *Chronicle of Higher Education* article, generously shared how King Hall was able to build a majority-minority faculty — a “faculty that [was then] 47 percent female and 56 percent minority” — at a then-top-thirty law school that was not “affiliated with historically black institutions, or . . . in Puerto Rico.”¹³ To borrow from a metaphor that Professor Olivas used in a different context, Dean Emeritus Johnson has been a mighty river that has “provide[d] nutrients and convey[ed] resources,” “creat[ing] demand through [his] dynamic flow” and “even wear[ing] down rock[s]” to help push the legal academy towards “improvement over time.”¹⁴ The simple truth is that many Latinx faculty and faculty of color, including me, owe our careers to Dean Emeritus Kevin R. Johnson.

This Essay seeks to honor Dean Emeritus Kevin R. Johnson by sharing one story, my story, about his impact as a mentor and sponsor on me throughout my career, and particularly during my early years as a junior

¹² Kevin R. Johnson, *A Tribute to Rex Perschbacher: Leader, Scholar, Mentor, Friend*, 52 UC DAVIS L. REV. ONLINE 59, 60 (2018).

¹³ Kevin R. Johnson, *How and Why We Built a Majority-Minority Faculty*, CHRON. HIGHER EDUC. (July 24, 2016), <https://www.chronicle.com/article/how-and-why-we-built-a-majority-minority-faculty/>.

¹⁴ Michael A. Olivas, *Law School Admissions After Grutter: Student Bodies, Pipeline Theory, and the River*, 55 J. LEGAL EDUC. 16, 17-18 (2005).

scholar, and by speaking more broadly about his impact on the legal academy as a mentor, scholar, teacher, and innovator — as a river that could “be diverted to create tributaries without altering its direction or purpose, feeding streams, canals, and fields . . . without diminishing its power.”¹⁵ Part I of this Essay imparts my own personal story as a mentee of Dean Emeritus Johnson. It also discusses how his example as a mentor has motivated and shaped my own work and the work of his other mentees. Part II of this Essay offers insights on the critical work that remains for deans, faculty, and administrators to perform to ensure continued progress in terms of enabling and ensuring diversity, inclusion, and equity on law school faculties and in law school environments.

I. THE RIVER RUNS THROUGH THE DAVIS DIASPORA

In 1986, minister and author Robert Fulghum penned a best-selling and poignant book of essays called *All I Really Need to Know I Learned in Kindergarten*.¹⁶ As a legal academic and even as a law dean, I often joke that I could author a similar book about thriving in the legal academy called *All I Really Need to Know to Make It in Academia I Learned from Kevin R. Johnson*. The simple truth is that I, like many in the Davis Diaspora — a term coined by Professor Madhavi Sunder — could not have had the career I have had without both the eye and the guidance of Dean Emeritus Kevin R. Johnson, whom I will refer to as Kevin throughout Part I of this Essay.

To put it simply, Kevin is the ultimate mentor and sponsor. Indeed, author Bob Proctor once defined the word “mentor” in a manner that perfectly describes the kind of mentor that Kevin is. Proctor proclaimed, “A mentor is someone who sees more talent and ability within you, than you see in yourself, is actively engaged and helps empower you with the understanding you need to attain any goal you truly desire.”¹⁷ As Dean and Associate Dean, Kevin had a special talent for seeing great promise

¹⁵ *Id.*

¹⁶ ROBERT FULGHUM, *ALL I REALLY NEED TO KNOW I LEARNED IN KINDERGARTEN* (1986).

¹⁷ Bob Proctor, FACEBOOK (June 22, 2014), <https://www.facebook.com/OfficialBobProctor/posts/a-mentor-is-someone-who-sees-more-talent-and-ability-within-you-than-you-see-in-/10152487174714421/> [https://perma.cc/746W-KGQR].

in aspiring and junior faculty (like me) who were more “unformed,” and he had an even richer, and extremely rare, talent for nurturing such scholars’ abilities so they could see possibilities within themselves and soar in the academy. Indeed, it was this special eye of Kevin’s that enabled him, first in his ten years as Associate Dean for Academic Affairs alongside Dean Emeritus Rex Perschbacher and later during his own deanship, to build a first-rate faculty that has consistently been ranked in the top twenty-five of law faculties in terms of scholarly impact.¹⁸

I owe my career to Kevin, not only because he and Dean Emeritus Rex Perschbacher hired me into my first faculty role in legal academia, but more so because they supported and nurtured my career such that I could succeed in that role. When I was a junior faculty member, Kevin generously sponsored me, protected me, and guided me, often without my knowing it. Earlier in my career, I wrote an essay discussing several lessons that I, as a junior scholar, learned from a senior male colleague (Kevin, though I did not explicitly identify him) for the book entitled *Presumed Incompetent: The Intersections of Race and Class for Women in Academia*. As I explained in that book chapter, “Silence of the Lambs,” several seemingly small but highly critical actions of support by Kevin and Rex helped to increase my sense of belonging and my sense of the full range of possibilities for me as a scholar and teacher, not only within the walls of King Hall, but also outside of them.¹⁹ In “Silence of the Lambs,” I focused mainly on the lessons I learned from Kevin’s strategic use of “silence” on our faculty, but in this Essay, I want to highlight a few of the many small acts of support, mentoring, and sponsoring that Kevin performed on my behalf while I was on the tenure-track, acts that made all the difference. His acts of kindness and mentorship were plentiful.

¹⁸ See Gregory Sisk, Adam Bent, Nicole Catlin, Alison Shea, Allie Dischinger & Lizzie Edinger, *Scholarly Impact of Law School Faculties in 2024: Updating the Leiter Score Ranking for the Top Third*, 21 U. ST. THOMAS L.J. 184, 185, 215 (2025) (revealing the UC Davis Law faculty to be ranked eighteenth among the law school faculties with the most scholarly impact as measured by citations in Westlaw over the most recent five-year period).

¹⁹ See Angela Onwuachi-Willig, *Silence of the Lambs*, in PRESUMED INCOMPETENT 142, 150–51 (Gabriella Guitierrez y Muhs, Yolanda Flores Niemann, Carmen G. González & Angela P. Harris eds., 2012).

Kevin's generous deeds included seemingly small acts like extending me a generous invitation to a potluck at his home, along with a few other colleagues. The invitation itself was heartwarming and made me and my family feel welcome in a new town that seemed to be, for us non-Californians, on the other side of the world. As I got to know Kevin better, I learned that this invitation was incredibly special for two reasons. First, I learned that invitations to his home are sacred and rare; thus, his invitation suggested that he had embraced me as "family" from day one. Second, I realized much later that the people at Kevin's house that day were also many of the people whom I could trust the most on the faculty. In other words, even before I spent my first day as a faculty member at King Hall, Kevin was already charitably signaling to me whom I could trust within the faculty community at my new academic home.

Kevin's acts of mentorship and support also involved required meetings like my first official meeting with then-Associate Dean Johnson and then-Dean Perschbacher at the beginning of the fall of my first year of teaching as a tenure-track professor. In this meeting, as I explained briefly in my chapter "Silence of the Lambs," Kevin and Rex showed me how they "saw" me (and women of color like me) and, more so, revealed how they had my back at the school.²⁰ While detailing the expectations that they had for me as a teacher, they also explained that they understood the biases and challenges that Latina and women of color faculty face with teaching evaluations, noting that they would assess my evaluations and my case with that understanding. Thereafter, they gave me tips for engaging the students in my courses as well as the high evaluations scores they desired for me, simultaneously communicating to me that they believed I could overcome those biases and that they would be there to help me overcome them.

Kevin's quiet acts of support also included secretly putting a "Call for Papers" for one of Professor Martha Fineman's Feminist Legal Theory Workshops in my faculty mailbox. By doing so, he offered me a subtle hint that I should consider responding to the Workshop's call for papers and gave me just the encouragement I needed to send a submission and attend the workshop upon acceptance, which felt like a big deal to me

²⁰ See *id.* at 149-50.

then! Professor Fineman's Workshop was the very first academic conference I attended as a tenure-track professor, and it ultimately became an incredibly nurturing and important space to my early scholar self. The Workshop also was the place where I met friends and early mentors like Professor Martha Fineman herself and Professors Verna Williams and Deborah Brake. Without the nudge of that "Call for Papers" in my mailbox, I never would have had the courage to submit an abstract, much less attend the conference.

Important acts of mentoring by Kevin also involved matters like taking the time to sit down with me before I went to my first Latino/a Critical Theory ("LatCrit") Conference, another academic conference that was formative to my development as a scholar, to highlight different senior scholars whom I should make a point of meeting while I was at the conference. Even more important, however, were all the conversations that Kevin clearly had with those professors before my arrival, as many of the senior faculty whom I introduced myself to — those whom he had pointed out to me — were clearly expecting me when I approached them.

Kevin's mentoring even included sharing hard lessons with me like informing me, and making sure I understood, that not every Latinx faculty member and faculty of member of color whom I met outside of King Hall was my "kinfolk" — a lesson that still cuts me each time I experience it firsthand, even as a senior faculty member and a dean. As Kevin would explain, there are those who view themselves as gatekeepers, and I should be wary of them.

Yet, his mentoring also resulted in wonderfully joyous moments for me like Kevin's nominating me for the Derrick A. Bell, Jr. Award, which made me feel like I could fly when I won, and which served as an important signal to me of the promise that that AALS Minority Groups Section saw in me, precisely because of those who had previously won the award, including other predecessors at King Hall (no doubt also nominated by Kevin).

Of course, there were also very important subtle lessons from Kevin's mentoring that took me years to fully appreciate. For example, in "Silence of the Lambs," I explained how I had slowly come to learn much

from Kevin's strategic silences on the faculty. In explaining the power of his silences, I wrote:

As an untenured professor, I learned firsthand about the power of silence by observing the conduct of a senior male colleague of color at the first law school where I worked. I recall my initial surprise at this colleague's silence during most and much of our faculty meetings, especially given his stature as a highly respected member of the faculty. His silence stood in stark contrast to that of many of our white, male senior colleagues, some of whom voiced their opinion on every matter — two, three, even four times. I wondered about my colleague's silence, at times wishing for more of his voice. I wanted to learn from him through his opinions, but, in the end, I learned more from his silence. . . .

As I watched him more and more throughout the years, I understood that his silences were . . . strategic. His frequent silences gave him a powerful voice when he spoke in public settings. Because of his profile, colleagues would have listened to him in any event, but his usual silence gave him more voice — a thundering one — when he chose to speak in open forums. He was, as they say, E. F. Hutton; when he spoke, people listened — in part because of his silences. . . .

What I later learned was that my colleague's silences in public meetings were just part of the picture. He did much of his speaking outside of the public faculty eye in private settings.²¹

In general, having the privilege and opportunity to learn from Kevin and watch how he maneuvered through matters like faculty hiring as a junior faculty has been a gift that I have brought and used within my own job as a senior faculty member and, now, as Dean of Boston University School of Law, where I like to think that we, too, have built a strong, powerful, diverse, productive, and impactful law school faculty. Indeed, in terms of fostering faculty diversity, inclusion, and retention, Kevin's reputation and legacy are among the strongest in the country.

²¹ *Id.* at 143-44.

Just through one-on-one mentoring, he has helped to guide more people than seems humanly possible through the academic world, but his impact has also been indirect. It is no mistake that Kevin's mentees have taken his lessons and applied them to help others, creating a reverse river in which tributaries are springing forth from the river rather than into it. Kevin's mentees have played critical roles in forming supportive communities that bolster the recruitment and retention of marginalized individuals within academia. These organizations and institutions include the Lutie Lytle Faculty Workshop, almost twenty years strong now, which centers the experiences of Black women in the academy; the John Mercer Langston Law Faculty Workshop, which focuses on the experiences of Black men in the academy; the Culp Colloquium, now at Harvard Law School, which assists with the placement of entry-level faculty and development of junior faculty from all backgrounds, but particularly of color; GO LILA (or the Graciela Olivarez Latinas in the Legal Academy) Workshop, which centers on the experiences of Latinas in the academy; and the Asian Pacific American and Middle Eastern and North African Women Law Faculty Workshop, which focuses on the experiences of Asian Pacific American and Middle Eastern and North African women in the legal academy. These opportunities are open to everyone in academia, but they play a critical role in sustaining spaces where faculty from underrepresented groups can find uniquely relevant support and advice.

II. KEEPING THE RIVERS FLOWING

As noted above, because of the critical work of Latinx faculty and faculty of color leaders like Dean Emeritus Johnson, there is much to celebrate when it comes to today's shifting demographic diversity among U.S. law faculty and even among law school leadership, a space in which Dean Emeritus Johnson served for twenty-six full years — first as King Hall's Associate Dean for Academic Affairs for ten years and then as its Dean for sixteen years. Indeed, U.S. law schools today are being led by the largest numbers and percentages of female law deans and Latinx and faculty of color law deans ever. Currently, women comprise

over forty percent (40.8%) of all law deans in the United States,²² and Latinxes and people of color comprise nearly thirty-four percent (33.83%) of all law deans in the United States, with Black/African American deans constituting nearly twenty-three percent of all U.S. law deans (22.89%), Latinx deans comprising nearly six percent of all U.S. law deans (5.97%), Asian and Pacific Islander deans constituting nearly three percent of all U.S. law deans (2.99%),²³ Native American or American Indian deans comprising nearly one-and-a-half percent of all U.S. law deans (1.49%), and Middle Eastern and North African deans constituting only one percent²⁴ of all U.S. law deans (1.00%).²⁵ Furthermore, as noted previously in this Essay, the percentage of Latinx faculty and faculty of color have, for the most part, grown in each decade. For example, the percentage of white faculty has slowly decreased with each cohort, with white faculty comprising eighty-three percent of faculty who have taught for more than thirty-one years, seventy-five percent of faculty who have taught between twenty-one and thirty years, seventy-one percent of faculty who have taught between eleven and twenty years, sixty-nine percent of faculty who have taught between six and ten years, and sixty-three percent of faculty who have taught fewer than five years.²⁶

Yet, as important data from the 2024 AALS American Law School Faculty Study reveal, continued efforts are needed to keep the rivers of progress in terms of diversity, equity, and inclusion among law faculties flowing. After all, although non-Hispanic whites constitute only 57.5% of the population in the United States, they still comprise a significantly greater percentage of all law faculty in the United States, with the AALS American Law School Faculty Study revealing a faculty response group

²² *Deans by Gender — Listed Alphabetically*, ASS'N AM. L. SCHS., <https://www.lawdeans.com/results.php?s=13> (last visited Feb. 26, 2026) [<https://perma.cc/3KC3-839T>].

²³ This percentage count adds together the deans who identified as Asian or Pacific Islander (1.99%), Asian American (0.50%), and South Asian (0.50%). *See Deans by Ethnicity — Listed Alphabetically*, ASS'N AM. L. SCHS., <https://www.lawdeans.com/results.php?s=14> (last visited Feb. 26, 2026) [<https://perma.cc/EL69-NC62>].

²⁴ This percentage count adds together the deans who identified as Iranian American (0.50%) and Arab/Middle Eastern (0.50%). *See id.*

²⁵ *See id.*

²⁶ *See* FACULTY STUDY, *supra* note 1, at 28.

made up of seventy-four percent white faculty compared to twenty-six percent faculty from all other racial and ethnic groups.²⁷ In this sense, the racial and ethnic composition of law faculty across the United States remains far from mirroring the racial and ethnic population of law students who are enrolled at U.S. law schools. Among U.S. law schools today, white students comprise approximately only 57.5% of law students, which is nearly seventeen percentage points below the percentage of white faculty.²⁸ Yet, many have highlighted the important role that Latinx faculty and faculty of color play in improving the academic experiences and sense of belonging among law students of color.²⁹ Similarly, numerous scholars, including Dean Emeritus Kevin Johnson, have highlighted how all law students, including white law students, benefit from seeing Latinx faculty and faculty of color in front of the classroom and from hearing differing perspectives from a faculty with a wide range of lived experiences.³⁰ For all of these reasons, law

²⁷ See FACULTY STUDY, *supra* note 1, at 22; *Quick Facts*, U.S. CENSUS BUREAU, <https://www.census.gov/quickfacts/fact/table/US/PST045224> (last visited Feb. 26, 2026). As the AALS notes, white faculty comprise an even larger percentage of all faculty, seventy-nine percent as opposed to the seventy-four percent of respondents. See FACULTY STUDY, *supra* note 1, at 22.

²⁸ See Gabriel Kuris, *Minority Law School Applicants: What to Know*, U.S. NEWS & WORLD REP.: LAW ADMISSIONS LOWDOWN (Jan. 20, 2026), <https://www.usnews.com/education/blogs/law-admissions-lowdown/articles/minority-law-school-applicants-what-to-know> (“According to 2025 data from law schools’ annual disclosures to the American Bar Association, in 2025 the percentage of law students at ABA-accredited law schools who were white was 57.5, mirroring the U.S. population.”).

²⁹ See, e.g., Zahraa Nasser & Marquan Robertson, *The Need for Meaningful Representation in Legal Education*, 96 NOTRE DAME L. REV. REFLECTION 239, 240-41 (2021) (drawing from their own experiences as students in law school to issue a “call to diversify the law faculty” and detailing in many ways how law students of color benefit from the “availability” and presence of faculty of color).

³⁰ Kevin R. Johnson, *The Importance of Student and Faculty Diversity in Law Schools: One Dean’s Perspective*, 96 IOWA L. REV. 1549, 1557-67 (2011); see, e.g., Meera E. Deo, Maria Woodruff & Rican Vue, *Paint by Number? How the Race and Gender of Law School Faculty Affect the First-Year Curriculum*, 29 CHICANA/O-LATINA/O L. REV. 1, 3-13, 8-38 (2010) (providing both quantitative and qualitative data on how greater diversity among the faculty can enrich the law school learning and overall environment for both students of color and all students); Nasser & Robertson, *supra* note 29, at 242 (arguing that all law students benefit from exposure to the “wider variety of perspectives” that faculty of color may bring).

schools should continue the intentional mentoring, pool-building, and institution-building work that has helped to make law faculties more diverse in the past few decades. This work is particularly important because certain groups of faculty of color, particularly Black and multiracial faculty (and white faculty), are underrepresented within one of the most common pathways to law teaching for recently hired law faculty: fellowships and visiting assistant professor positions.³¹ Specifically, seventeen percent of Black faculty, twenty percent of white faculty, and twenty-four percent of multiracial faculty held fellowships or visiting assistant professorships before being hired as law faculty as compared to thirty to thirty-four percent of all law faculty.³² Latinx and Black faculty are also underrepresented among faculty who held clerkships before being hired into law faculty roles.³³

Moreover, even as law faculties are growing more diverse with each generation, the fact that faculty of color are also clustered among the youngest faculty — those with five or fewer years of teaching — suggests that the changes in law school climate, environment, and culture that might come with greater racial and ethnic representation among the faculty who govern law schools will not begin to manifest for several years to come. The reality is that faculty gain voice and influence in their institutions as they gain more years of experience and more privileges such as tenure.

Furthermore, it is not enough for law school faculties as a whole to become more racially and ethnically diverse. Diversity across levels of prestige also matters. Higher ranked law schools tend to have significantly more resources, which tends to translate into higher faculty salaries, better benefits, smaller teaching courseloads, greater support for research assistance, and a range of factors that play a critical role in enabling faculty to develop the kinds of publication and other records that build prestigious careers, stronger reputations, and greater moveability across law schools.³⁴ Among its many findings, the AALS

³¹ See FACULTY STUDY, *supra* note 1, at 38 (noting forty-six percent of newer faculty held a fellowship before being hired).

³² See *id.* at 40.

³³ See *id.*

³⁴ See *id.* at 69 (noting that faculty at the “most selective” law schools are more likely at fifty-five percent to spend more than a quarter of their time on scholarship than those

American Law School Faculty Study also shows that Latinx faculty and faculty of color are less likely to be working at the most selective law schools.³⁵ Such a finding is even more startling when one considers that certain groups of faculty of color — Latinx and Asian American, Native Hawaiian and Pacific Islander, and Middle Eastern and North African faculty — are also more likely to have a degree other than a J.D., which is increasingly more common among new faculty hires.³⁶ This phenomenon of the clustering of faculty of color at the less selective and often less-resourced law schools or at only a limited number of schools within each tier (with other law schools “freeriding” on those schools’ diversity) was wonderfully analyzed in Professor Ediberto Roman’s co-authored article, *Freeriders and Diversity in the Legal Academy: A New Dirty Dozens List* in the *Indiana Law Journal* in 2008.³⁷ If the same dynamic is occurring at law schools more than fifteen years later, legal academia needs to ask itself why.

Finally, several of the response findings in the AALS American Law School Faculty Study portend major inequities in how faculty experience the burdens of their job responsibilities related to service, mentoring, teaching, and scholarship based on race and ethnicity, gender, and intersectional race and ethnicity with gender. In many instances, the survey data reveal that Latinx faculty and faculty of color, particularly women of color faculty, have vastly different experiences as professors than their white faculty peers. For instance, data from the study show that Latinx faculty and Black faculty are 1.5 times more likely

at “more selective” law schools and “selective” law schools at forty-six percent and twenty-eight percent, respectively, and that faculty at “selective” law schools spend more time on service than faculty at thirty-three percent than faculty at the “most selective” and “more selective” institutions at twenty-three percent and nineteen percent, respectively).

³⁵ See *id.* at 22-23.

³⁶ See *id.* at 11, 36.

³⁷ Ediberto Roman & Christopher B. Carbot, *Freeriders and Diversity in the Legal Academy: A New Dirty Dozen List?*, 83 IND. L.J. 1235, 1246-53 (2008) (noting, for example, that “[w]ithin the Top-25 law schools, the disproportionate Latina [meaning “Latinx” in this article] representation amongst individual schools is even more pronounced” because “[o]f the twenty-seven Latina professors at these institutions, just five schools account for more than half of these professors: George Washington University, New York University, University of California-Berkeley, Stanford University, and the University of Texas”).

than other faculty to spend greater than a quarter of their time on service — at thirty-five percent for Latinx faculty and thirty-seven percent for Black faculty compared to twenty-three to twenty-six percent for all other faculty. Additionally, Latinx and Black faculty are more likely than white faculty to spend more than fifty percent of their time on teaching — at forty-four percent for Latinx faculty and fifty percent for Black faculty compared to thirty-seven percent for white faculty.³⁸ Along the same lines, Latinx faculty spend the greatest amount of time on student advising, and Black faculty are more than 1.5 times more likely than white faculty to spend more than half of their time with students — at fifty-two percent compared to thirty-three to thirty-seven percent for other groups.³⁹ In essence, though meaningful progress has occurred in terms of representation on law faculties at law schools nationwide, Latinx and Black faculty in particular continue to bear a disproportionate burden of heavy service, administrative work, and teaching on their law faculties as well as a heavier share of the often emotionally exhausting work of student advising, work that, in many instances, faculty get no formal service credit or recognition for.

Such inequities come with genuine costs. For example, not surprisingly, Latinx and Black faculty were more than twice as likely as white faculty to use a tenure extension — at eleven to twelve percent compared to just five percent for white faculty.⁴⁰ Achieving tenure at a later than expected date does not only mean gaining one's voice to openly speak and confront issues within the law school on a delayed schedule; it also means receiving the significant monetary raise that frequently comes with a tenure promotion on a postponed schedule, which has an impact on other benefits like institutional retirement contributions, which tend to be a percentage of a faculty member's salary.⁴¹ Additionally, such inequities in service, teaching, and advising

³⁸ See FACULTY STUDY, *supra* note 1, at 68.

³⁹ See *id.* at 71.

⁴⁰ See *id.* at 49.

⁴¹ Cf. Angela Onwuachi-Willig, *The Intersectional Race and Gender Effects of the Pandemic in Legal Academia*, 72 HASTINGS L.J. 1703, 1713-14 (2021) ("After all, both tenure and promotion to full professor often come with a big pay raise. To the extent that women might be using the year added on to their tenure clock while their male peers may not be, women faculty will find themselves making less in salary than the very male

burdens make it more difficult to produce quality scholarship at the high rates that frequently result in what Professor Olivas called “merit badges” like chairs and professorships, extra sabbatical leaves or course releases, and higher merit raises.⁴² Although a majority of faculty respondents in the AALS American Law School Faculty Study identify teaching as their most important responsibility, the reality is that scholarship remains the coin of the realm in academia.⁴³ The production of legal scholarship not only shapes the overall reputations of individual faculty members; it also shapes their portability across law schools. It shapes the voice and influence they carry on their individual faculties, and as noted above, it ultimately shapes their pocketbooks — their pay and benefits. All of these realities are layered on top of the fact that Latinx faculty and faculty of color already frequently face different and often more questioning and critical standards of their scholarly work and teaching, standards that tend to discount their accomplishments, as Professor Renee Allen highlights in her critique of the FASORP lawsuit

counterparts they came in with Moreover, disproportionate delays in tenure for women are likely to have impacts beyond gender pay disparities. Delayed tenure also means delayed consideration for the “merit badges” of law schools, such as chairs, professorships, and other positions that can come with financial or reputational rewards And, delayed tenure also means delay in having one’s voice in faculty meetings and in debates concerning curriculum, hiring, and student policies, which is particularly crucial for those on the margins.”).

⁴² See Michael A. Olivas, *Reflections on Academic Merit Badges and Becoming an Eagle Scout*, 43 HOUS. L. REV. 81, 84 (2006) (suggesting “that the most exclusionary practices occur in the distribution of the highest level of prestige resources, those of the various merit badges earned or handed out in the daily business of academia,” such as “law symposium special issues, named lectures, endowed and named chairs, memberships in elected or appointed honor societies, clerkships, and honorary degrees and other honorific designations”).

⁴³ See Susan B. Apel, *Principle 1: Good Practice Encourages Student-Faculty Contact*, 49 J. LEGAL EDUC. 371, 376 (1999) (“Few if any law teachers would challenge the statement that, within legal academia, scholarship is still viewed as the most important thing that professors do: ‘Scholarship, not teaching, has become “the currency of our profession,” “the coin of the realm,” “the preeminent faculty value,” “the be-all and end-all in academia.”’”); see also Renee Nicole Allen, *Hell Hath No Fury Like a White Man Scorned*, 105 B.U. L. REV. (forthcoming 2026) (manuscript at 23), https://papers.ssrn.com/sol3/papers.cfm?abstract_id=6160966 [https://perma.cc/PZ6H-WJ6C?type=image] (“Scholarship is arguably the most important aspect of a law professor’s job.”).

that unfairly attacks several enormously successful Black faculty at Northwestern University Pritzker School of Law.⁴⁴

As Dean Emeritus Johnson might heed, all of these inequities serve as proof of the continued, deliberate efforts that are needed to ensure fairness and equitable representation and belonging for Latinx faculty and faculty of color in the legal academy. Such efforts will need to occur in many different forms. For example, deans and faculty appointments committees will need to understand and appreciate all of this context I explained above about uneven service, teaching, and advising burdens when they are, for example, assessing lateral candidates for hire or deciding upon whom should receive merit badges like faculty chairs, professorships, and invitations to write for law review symposia. In essence, when looking at and comparing different faculty members' productivity, law faculties and decisionmakers need to consider the conditions under which all of that work was performed and produced, particularly for Black and Latinx faculty. Deans also need to have this context in mind when they are doling out service assignments and when they are determining merit raises. Finally, as Dean Emeritus Johnson so often practiced throughout his career, Deans need to consider this context when mentoring junior faculty, particularly junior Latinx faculty and faculty of color. Most of all, to keep the rivers of opportunity, access, and excellence flowing, law faculties and law school leadership need to utilize this uniquely important insight that Dean Emeritus Johnson brought to his often life-changing mentoring work:⁴⁵ an awareness that, while all faculty have to engage in some type of identity performance⁴⁶ at work, Latinx faculty and faculty of color literally have to spend vastly more time having to think through and making strategic decisions about every little aspect of their jobs — from their everyday teaching, which we know is frequently affected in negative ways by biases in student responses and evaluations, to their engagement in different forms of service, to the placement of their articles. Over time,

⁴⁴ See Allen, *supra* note 43, at 21-26.

⁴⁵ See *supra* Part I.

⁴⁶ See Devon W. Carbado & Mitu Gulati, *Working Identity*, 85 CORNELL L. REV. 1259, 1262-63 (2000) (describing how women and people of color attempt to alter their identities in order to prevent discrimination and preempt stereotyping in the workplace).

the burdens of these demands compound in ways that can be harmful to their progress, particularly when compared to their white peers.

CONCLUSION

In the end, legal academia owes a great deal of gratitude to Dean Emeritus Kevin Johnson for the deliberate, yet often invisible work that he performed for more than twenty-six years in law school leadership, work that helped to make the academy stronger, more excellent, and more inclusive. Through his extraordinary generosity and mentoring, he has built a legacy that few can only dream of — a legacy of being a river that has powered and fueled critical change and progress within the legal academy and that has nurtured generations of scholars, leaders, and future scholar-leaders.