

105TH CONGRESS  
1ST SESSION

# S. 1395

To amend the Higher Education Act of 1965 to provide for the establishment of the Thurgood Marshall Legal Educational Opportunity Program.

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 6, 1997

Mr. SARBANES introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

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## A BILL

To amend the Higher Education Act of 1965 to provide for the establishment of the Thurgood Marshall Legal Educational Opportunity Program.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. THURGOOD MARSHALL LEGAL EDUCATIONAL**  
4       **OPPORTUNITY PROGRAM.**

5       Chapter 1 of subpart 2 of part A of title IV of the  
6       Higher Education Act of 1965 (20 U.S.C. 1070a–11 et  
7       seq.) is amended by inserting after section 402H of such  
8       Act (20 U.S.C. 1070a–18) the following:

1 **“SEC. 402I. LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.**

2       “(a) PROGRAM AUTHORITY.—The Secretary shall  
3 carry out a program to be known as the ‘Thurgood Mar-  
4 shall Legal Educational Opportunity Program’ designed  
5 to provide low-income, minority, or disadvantaged college  
6 students with the information, preparation, and financial  
7 assistance to gain access to and complete law school study.

8       “(b) ELIGIBILITY.—A college student is eligible for  
9 assistance under this section if the student is—

10               “(1) from a low-income family;

11               “(2) a minority; or

12               “(3) from an economically or otherwise dis-  
13 advantaged background.

14       “(c) CONTRACT OR GRANT AUTHORIZED.—The Sec-  
15 retary is authorized to enter into a contract with, or make  
16 a grant to, the Council on Legal Education Opportunity,  
17 for a period of not less than 5 years—

18               “(1) to identify college students who are from  
19 low-income families, are minorities, or are from dis-  
20 advantaged backgrounds described in subsection  
21 (b)(3);

22               “(2) to prepare such students for study at ac-  
23 credited law schools;

24               “(3) to assist such students to select the appro-  
25 priate law school, make application for entry into

1 law school, and receive financial assistance for such  
 2 study;

3 “(4) to provide support services to such stu-  
 4 dents who are first-year law students to improve re-  
 5 tention and success in law school studies; and

6 “(5) to motivate and prepare such students  
 7 with respect to law school studies and practice in  
 8 low-income communities.

9 “(d) SERVICES PROVIDED.—In carrying out the pur-  
 10 poses described in subsection (c), the contract or grant  
 11 shall provide for the delivery of services through prelaw  
 12 information resource centers, summer institutes, midyear  
 13 seminars, and other educational activities, conducted  
 14 under this section. Such services may include—

15 “(1) information and counseling regarding—

16 “(A) accredited law school academic pro-  
 17 grams, especially tuition, fees, and admission  
 18 requirements;

19 “(B) course work offered and required for  
 20 graduation;

21 “(C) faculty specialties and areas of legal  
 22 emphasis;

23 “(D) undergraduate preparatory courses  
 24 and curriculum selection;

1           “(2) tutoring and academic counseling, includ-  
2           ing assistance in preparing for bar examinations;

3           “(3) prelaw mentoring programs, involving law  
4           school faculty, members of State and local bar asso-  
5           ciations, and retired and sitting judges, justices, and  
6           magistrates;

7           “(4) assistance in identifying preparatory  
8           courses and material for the law school aptitude or  
9           admissions tests;

10          “(5) summer institutes for Thurgood Marshall  
11          Fellows that expose the Fellows to a rigorous cur-  
12          riculum that emphasizes abstract thinking, legal  
13          analysis, research, writing, and examination tech-  
14          niques; and

15          “(6) midyear seminars and other educational  
16          activities that are designed to reinforce reading,  
17          writing, and studying skills of Thurgood Marshall  
18          Fellows.

19          “(e) DURATION OF THE PROVISION OF SERVICES.—  
20          The services described in subsection (d) may be pro-  
21          vided—

22                 “(1) prior to the period of law school study;

23                 “(2) during the period of law school study; and

24                 “(3) during the period following law school  
25          study and prior to taking a bar examination.

1       “(f) SUBCONTRACTS AND SUBGRANTS.—For the pur-  
 2 poses of planning, developing, or delivering one or more  
 3 of the services described in subsection (d), the Council on  
 4 Legal Education Opportunity shall enter into subcontracts  
 5 with, and make subgrants to, institutions of higher edu-  
 6 cation, law schools, public and private agencies and orga-  
 7 nizations, and combinations of such institutions, schools,  
 8 agencies, and organizations.

9       “(g) STIPENDS.—The Secretary shall annually estab-  
 10 lish the maximum stipend to be paid (including allowances  
 11 for participant travel and for the travel of the dependents  
 12 of the participant) to Thurgood Marshall Fellows for the  
 13 period of participation in summer institutes and midyear  
 14 seminars. A Fellow may be eligible for such a stipend only  
 15 if the Fellow maintains satisfactory academic progress to-  
 16 ward the Juris Doctor or Bachelor of Laws degree, as de-  
 17 termined by the respective institutions.

18       “(h) MAXIMUM LEVEL.—For any year for which an  
 19 appropriation is made to carry out this chapter, the Sec-  
 20 retary shall allocate not more than \$5,000,000 for the  
 21 purpose of providing the services described in subsection  
 22 (d).”.

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