TITLE 20 - EDUCATION  
CHAPTER 28 - HIGHER EDUCATION RESOURCES AND STUDENT ASSISTANCE  
SUBCHAPTER VII - GRADUATE AND POSTSECONDARY IMPROVEMENT PROGRAMS  
Part A - Graduate Education Programs  
subpart 3 - thurgood marshall legal educational opportunity program

§ 1136. Legal educational opportunity program

(a) Program authority

The Secretary shall carry out a program to be known as the “Thurgood Marshall Legal Educational Opportunity Program” designed to provide low-income, minority, or disadvantaged secondary school and college students with the information, preparation, and financial assistance to gain access to and complete law school study and admission to law practice.

(b) Eligibility

A secondary school student or college student is eligible for assistance under this section if the student is—

(1) from a low-income family;
(2) a minority; or
(3) from an economically or otherwise disadvantaged background.

(c) Contract or grant authorized

The Secretary is authorized to enter into a contract with, or make a grant to, the Council on Legal Education Opportunity, for a period of not less than 5 years—

(1) to identify secondary school and college students who are from low-income families, are minorities, or are from disadvantaged backgrounds described in subsection (b)(3) of this section;
(2) to prepare such students for successful completion of a baccalaureate degree and for study at accredited law schools, and to assist them with the development of analytical skills, writing skills, and study methods to enhance the students’ success in, and promote the students’ admission to and completion of, law school;
(3) to assist such students to select the appropriate law school, make application for entry into law school, and receive financial assistance for such study;
(4) to provide support services to such students who are first-year law students to improve retention and success in law school studies;
(5) to motivate and prepare such students—
   (A) with respect to law school studies and practice in low-income communities; and
   (B) to provide legal services to low-income individuals and families; and
(6) to award Thurgood Marshall Fellowships to eligible law school students—
   (A) who participated in summer institutes under subsection (d)(6) and who are enrolled in an accredited law school; or
   (B) who have successfully completed a comparable summer institute program that is certified by the Council on Legal Education Opportunity.

(d) Services provided

In carrying out the purposes described in subsection (c) of this section, the contract or grant shall provide for the delivery of services through pre-college programs, undergraduate prelaw information resource centers, summer institutes, midyear seminars, and other educational activities, conducted under this section. Such services may include—

(1) information and counseling regarding—
(A) accredited law school academic programs, especially tuition, fees, and admission requirements;
(B) course work offered and required for law school graduation;
(C) faculty specialties and areas of legal emphasis; and
(D) pre-college and undergraduate preparatory courses in analytical and writing skills, study methods, and course selection;

(2) summer academic programs for secondary school students who have expressed interest in a career in the law;
(3) tutoring and academic counseling, including assistance in preparing for bar examinations;
(4) prelaw mentoring programs, involving law school faculty, members of State and local bar associations, and retired and sitting judges, justices, and magistrates;
(5) assistance in identifying preparatory courses and material for the law school aptitude or admissions tests;
(6) summer institutes for Thurgood Marshall Fellows that expose the Fellows to a rigorous curriculum that emphasizes abstract thinking, legal analysis, research, writing, and examination techniques; and
(7) midyear seminars and other educational activities that are designed to reinforce reading, writing, and studying skills of Thurgood Marshall Fellows and Associates.

(e) Duration of provision of services
The services described in subsection (d) of this section may be provided—

(1) prior to the period of law school study, including before and during undergraduate study;
(2) during the period of law school study; and
(3) during the period following law school study and prior to taking a bar examination.

(f) Subcontracts and subgrants
For the purposes of planning, developing, or delivering one or more of the services described in subsection (d) of this section, the Council on Legal Education Opportunity shall enter into subcontracts with, and make subgrants to, institutions of higher education, law schools, public and private agencies and organizations, national and State bar associations, and combinations of such institutions, schools, agencies, organizations, and associations.

(g) Fellowships and stipends
The Secretary shall annually establish the maximum fellowship to be awarded, and the maximum stipend to be paid (including allowances for participant travel and for the travel of the dependents of the participant), to Thurgood Marshall Fellows or Associates for the period of participation in summer institutes, midyear seminars, and bar preparation seminars. A Thurgood Marshall Fellow or Associate may be eligible for such a fellowship or stipend only if the Fellow or Associate maintains satisfactory academic progress toward the Juris Doctor or Bachelor of Laws degree, as determined by the respective institutions (except with respect to a law school graduate enrolled in a bar preparation course).

(h) Authorization of appropriations
There are authorized to be appropriated to carry out this section $5,000,000 for fiscal year 2009 and each of the five succeeding fiscal years.

Prior Provisions


Another prior section 1136, Pub. L. 89–329, title XI, § 1101, as added Pub. L. 90–575, title II, § 191(a), (b), June 23, 1972, 86 Stat. 323, authorized a program for grants and contracts covering the establishment of a law school clinical experiences regimen, prior to the general amendment of subchapter XI of this chapter by Pub. L. 96–374.

Amendments


Subsec. (c)(1). Pub. L. 110–315, § 704(c)(1), inserted “secondary school and” before “college students”.

Subsec. (c)(2). Pub. L. 110–315, § 704(c)(2), added par. (2) and struck out former par. (2) which read as follows: “to prepare such students for study at accredited law schools:”;.

Subsec. (c)(5), (6). Pub. L. 110–315, § 704(c)(3), (4), added pars. (5) and (6) and struck out former par. (5) which read as follows: “to motivate and prepare such students with respect to law school studies and practice in low-income communities.”

Subsec. (d). Pub. L. 110–315, § 704(d)(1), which directed insertion of “pre-college programs, undergraduate” before “pre-law”, was executed by making insertion before “prelaw” in introductory provisions, to reflect the probable intent of Congress.


Subsec. (d)(1)(D). Pub. L. 110–315, § 704(d)(2)(B), added subpar. (D) and struck out former subpar. (D) which read as follows: “undergraduate preparatory courses and curriculum selection:”;.

Subsec. (d)(2) to (7). Pub. L. 110–315, § 704(d)(3)–(5), added par. (2), redesignated former pars. (2) to (6) as (3) to (7), respectively, and in par. (7), inserted “and Associates” after “Thurgood Marshall Fellows”.

Subsec. (e)(1). Pub. L. 110–315, § 704(e), inserted “, including before and during undergraduate study” before semicolon at end.

Subsec. (f). Pub. L. 110–315, § 704(f), inserted “national and State bar associations,” after “private agencies and organizations,” and substituted “organizations, and associations” for “and organizations”.

Subsec. (g). Pub. L. 110–315, § 704(g), amended subsec. (g) generally. Prior to amendment, text read as follows: “The Secretary shall annually establish the maximum stipend to be paid (including allowances for participant travel and for the travel of the dependents of the participant) to Thurgood Marshall Fellows for the period of participation in
summer institutes and midyear seminars. A Fellow may be eligible for such a stipend only if the Thurgood Marshall Fellow maintains satisfactory academic progress toward the Juris Doctor or Bachelor of Laws degree, as determined by the respective institutions.”

Subsec. (h). Pub. L. 110–315, § 704(h), substituted “fiscal year 2009 and each of the five succeeding fiscal years” for “fiscal year 1999 and each of the 4 succeeding fiscal years”.

Effective Date of 2009 Amendment