DIVERSITY PLAN
OF THE
SECTION OF REAL PROPERTY, TRUST AND ESTATE LAW
Adopted May 2, 2009

Replacing Diversity Plan Adopted in 2000

Goals and Background

Goal III of the American Bar Association, adopted in 2008, makes it a priority goal of the association to “promote full and equal participation in the association, our profession, and the justice system by all persons,” and to “eliminate bias in the legal profession and the justice system.” Goal III of the association expands on prior Goal IX, which also sought full inclusion while specifically mentioning women, minorities, persons with disabilities, and lesbian, gay, bisexual, and transgender (“LGBT”) persons.

The Section of Real Property, Trust and Estate Law supports the objective of full inclusion as stated in Goal III. But the Section also recognizes the need explicitly stated in Goal IX that special cognizance be given to participation by groups historically underrepresented in the legal profession and among real property and estate planning attorneys. For purposes of this Diversity Plan, the Section adopts the Goal IX categories of women, minorities, persons with disabilities, and LBGT persons as its working definition of diversity.

The ABA’s Commission on Racial and Ethnic Diversity in the Profession, one of the ABA entities dedicated to addressing diversity issues in the larger ABA, sees its mission as a “catalyst to change the legal profession to reflect the society it serves; . . . to help racially and ethnically diverse lawyers advance their careers; . . . help the profession understand and eliminate racism, bigotry, and discrimination; . . . and to increase racial and ethnic diversity in the legal profession and enrich the profession through diversity.” The Commission’s mission statement reflects what the Section has worked to achieve and what it should continue to strive to achieve.

The Section of Real Property, Trust and Estate Law adopted its first formal Diversity Plan in 2000. In the intervening years, the Section has worked hard to achieve the goals and objectives of that initial Diversity Plan. It has succeeded quite well in some areas, having been recognized for its efforts on several occasions by the ABA Commission on Racial and Ethnic Diversity in the
Profession. This success is particularly evident in the important leadership roles played by women in the Section. But the Section has progress to make in other areas.

In 2007, the Section adopted a revised Mission Statement for the Diversity Committee, which, similar to Goal III, expanded the definitions of diverse lawyers and emphasized the desire for broad inclusiveness within the Section. Recognizing that no plan is static and that revisions may be needed from time to time to enable the Section to continue to make progress on its diversity initiatives, during the 2007 bar year the Section Diversity Committee also began its first comprehensive reevaluation and revision of the Diversity Plan to make it stronger and more relevant to the current state of the Section and the profession.

The Section of Real Property, Trust and Estate Law understands that any plan is only as good as the support and nurturing it receives from the Section’s leadership and from the Section’s members. The Section’s leadership enthusiastically and wholeheartedly supports this Diversity Plan and agrees to provide the necessary leadership and resources to encourage member support and to implement this Plan. The Section leadership, in coordination with the Diversity Committee and other Section committees and entities, will help establish priorities and time frames for implementation of the various components of the Plan.

A diverse Section is a stronger and better Section. The Section hopes this Diversity Plan will serve as a flexible blueprint for an even more successful future for the Section.

1. CONSISTENT WITH ABA’S GOAL III, INCREASE AND MAINTAIN DIVERSITY IN SECTION OFFICERS AND COUNCIL MEMBERS AND INCREASE DIVERSITY IN COMMITTEE LEADERSHIP

a. Obtain support and participation of the Section officers and Supervisory Council members in implementing the Diversity Plan

- Provide a copy of the Diversity Plan, preferably in connection with diversity training for Section leaders, to each existing and incoming Section officer, Supervisory Council Member, and Group Chair together with a letter from the Chair of the Section stressing the importance of and the Section’s commitment to promoting diversity, including its commitment to the Diversity Plan.
• Create an institutional process for ensuring awareness of and commitment by all Section leaders to the Diversity Plan, including assignment of responsibility for oversight of the Diversity Plan and its implementation. Such oversight responsibility might include the designation of a Section leader to act as the Section’s Diversity Officer.

• Include promotion of the Diversity Plan and its components among the list of goals for Supervisory Council Members, Group Chairs and Vice Chairs, and Committee Chairs.

• Include efforts to comply with and commitment to the Diversity Plan among the accomplishments on which Group Chairs and Vice Chairs and Committee Chairs are evaluated.

b. Provide leadership, guidance and resources to the Section leadership with respect to diversity issues

• Identify diversity resources for Section leaders to consult, including resources available from the ABA and resources from diverse bar associations and other relevant organizations.

• Develop a database of diverse speakers qualified to speak on topics relevant to the Section.

• Provide diversity materials in the Committee Chairs’ Orientation Manual/Handbook, including the Section’s policies and guidelines relating to diversity, information about Group’s implementation of diversity initiatives, a copy of the annual ABA Goal III report, a list of diverse speakers, and other resources providing assistance for creating diversity on panels and in publications.

• Periodically update diversity resource materials.

• Have each Supervisory Council Member who oversees a Group, or a Group Chair or Group Vice-Chair designated by the Council Member, act as an informal liaison to the Diversity Committee. The liaison will have responsibility for helping his or her Group achieve diversity goals.

• Develop appropriate and effective tools for identifying diverse members of the Section.

c. Foster the spirit of inclusiveness in all Section activities

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• Add "Non-members Welcome" to signs identifying Group and/or Committee meetings outside meeting rooms at the Spring, Annual, and other meetings.

• Recommend that Group Chairs and/or Committee Chairs invite non-members to become Group or Committee members at the conclusion of each of their meetings.

• Advertise in all materials for the Spring, Annual, and other meetings that non-committee members are welcome to attend Group and Committee meetings.

• Consider mailing the FAQ memo, as updated, in advance of the Spring, Annual, and other meetings to all first-time registrants.

• Encourage first-time meeting attendees to meet new and existing members.

• Strengthen and increase the flow of information between the Section and the ABA Young Lawyers and Law Student Divisions.

d. **Provide meaningful diversity training and periodic followup training to current and future Section leaders at the Spring Symposium or Fall Leadership meeting**

• Keep up with best practices regarding diversity in organization environments.

• Create a database of diversity resources that are available.

• Establish (after initial training) periodic follow-up training.

• Have the Diversity Committee commit to providing at least one substantive CLE course on a diversity-related topic at least once a year at an appropriate venue (similar to those programs required of Groups).

• To extent allowable within the Section’s goals for the Fall Leadership Meeting, discuss diversity issues and their importance to the responsibilities of the Group and Committee Chairs at the new Chairs Orientation at the Fall Leadership Meeting.
e. **Annually measure progress and efforts towards achievement of diversity goals**

   - Task the diversity liaison for each Group to assume, as part of that person’s duties, responsibility for oversight of diversity initiatives for his/her Group.

   - Add diversity efforts and initiatives as a category about which Group Chairs report their accomplishments.

   - Report on overall diversity issues and Section performance as a Council meeting agenda item; target the Fall Meeting for this oral report, where possible.

   - Establish a way to recognize exceptional effort to diversify at the Group and Committee level with public recognition at a meeting.

   - Encourage ongoing diversity effort by providing all incoming Group Chairs, Group Vice Chairs, and Committee Chairs with results from the last diversity report for their respective Groups and Committees so that they can follow up.

f. **Assist the Nominations Committee by identifying diverse members of the Section who are considered to be “rising stars”**

g. **Evaluate the Section’s Diversity Plan at least every three years**

   - Assess which initiatives are working and which are not and determine why they are not working; incorporate new ideas; and respond to the then existing issues and concerns.

   - In addition to reviewing the annual ABA Goal III reports, consider requesting additional input on the Section’s diversity efforts from the ABA Commission on Racial and Ethnic Diversity in the Profession and/or other similar commissions or organizations.

   - Periodically review the diversity plans of other ABA entities.

   - Have the Diversity Committee evaluate and report recommended changes to the Diversity Plan and seek approval from Council to such changes as appropriate.
2. INCREASE DIVERSE PARTICIPATION IN SECTION ACTIVITIES AND MEMBERSHIP

a. Strongly encourage the Section to emphasize the importance of diversity when organizing or approving presenters for programs cosponsored with other Sections, Divisions, or organizations

   - Provide resources to program planners to help achieve this goal.

b. Take meaningful and measurable steps to encourage diverse presenters in Section CLE programming

   - Communicate this goal to all Group Chairs, Committee Chairs, and Committee Vice-Chairs or other CLE program planners.

   - Coordinate closely with the Section CLE Committee to develop a process by which to promote diversity in CLE presentations without sacrificing program quality (for example, by strongly encouraging Group and Committee Chairs and Vice-Chairs to include diverse speakers).

   - Review what other ABA Sections have done to ensure diversity among CLE presenters.

   - Work with various bar associations, the Community Outreach Committee, and any Section committees responsible for state and local bar outreach to identify and build sources of qualified diverse speakers and writers who have been evaluated by Section members familiar with Section CLE standards. Encourage all those involved in producing CLE, including Group and Committee Chairs and Vice Chairs, to consult such sources when recommending speakers.

   - Encourage the CLE Committee to consider financial need as a factor when granting full or partial waiver of speaker registration fees and costs to diverse speakers. Any subsidized speaker will be expected to attend the meeting. The Diversity Committee will follow up with subsidized speakers who are diverse persons to encourage active membership in the Section.

   - Follow up with diverse speakers to encourage further involvement in the Section.
c. Appoint liaisons to each of the national minority bar associations (e.g., National Bar Association, Hispanic National Bar Association, and National Asian Pacific American Bar Association). Establish expectations or responsibilities for these liaisons; and consider funding their attendance at an annual meeting

- To the extent funds permit, provide funding for Section liaisons to attend annual meetings and do other outreach.
- Encourage Section leaders to attend minority bar association meetings and events, and include a meeting summary in e-Report or Probate & Property.

d. Send a letter from the Chair of the Section to diverse bar registrants thanking them for attending, asking them to share their opinions about the meeting and what the Section can do for them to enhance their experience at the next meeting

- Include summary of, or other mention of, Diversity initiatives in the letter.

e. Make certain that all recruitment/retention materials include a focus on diverse lawyers

f. Consider additional steps to increase diverse Section membership, including scholarships for qualified diverse members on a need basis or expanding the Fellows program, while remaining sensitive to diverse bar associations’ possible concern about “poaching” of their members.

- Any such membership initiative should require a new member who is funded or receiving a scholarship to participate actively in the Section and to document that participation. Unlike the Fellows program, which is not needs-based, this program could provide entry to diverse attorneys who represent “economic” diversity.

g. Involve in Section activities diverse attorneys who are already involved in local and national minority bar associations

- Encourage collaborative programming at all appropriate Section meetings with diverse organizations outside of the ABA (such as national and local minority bar associations) consistent with policies on collaborative programming established by the ABA and the Section.
• Communicate first-time registration discounts.

• Solicit speakers from minority lawyer bar associations located in the host city and notify Group and Committee Chairs and Vice-Chairs early in the process of the mechanism for them to recruit local minority talent (in conjunction with overall efforts to identify a pool of qualified diverse speakers).

• Advertise the Section's programs in periodicals/newsletters directed to minority lawyer bar associations.

• Send information on Section membership and benefits to meetings of national minority bar associations.

• Continue to obtain lists of minority bar associations from the Center for Racial and Ethnic Diversity and send Spring and other meeting brochures to the persons on those lists.

• Personally invite members and leaders of minority lawyer bar associations in the host city to programs and social events. If there is financial need, consider a waiver or partial waiver of registration fees for the leaders of such associations, and appoint Section members to serve as hosts to such attendees.

h. Coordinate efforts with and use the resources of the ABA Commission on Women in the Profession (CWP), the Center for Racial and Ethnic Diversity and other similar organizations to assist in the recruitment efforts of the Section.

3. RAISE AWARENESS THAT DIVERSITY IS VALUED

a. Publish on the Section web site, in e-Report, and in Probate & Property the progress the Section is making regarding diversity, highlighting success stories.

b. Support the Diversity Committee's liaison relationships with other bar commissions and organizations involved with diversity initiatives, including the Commission for Women in the Profession, the Commission on Racial and Ethnic Diversity in the Profession, and the Commission on Sexual Orientation and Gender Identity.
c. Design and regularly update web site for Diversity Committee and attempt to have other relevant web sites (e.g., Commission on Women in the Profession, Commission on Racial and Ethnic Diversity in the Profession, National Bar Association, Hispanic National Bar Association, National Asian Pacific American Bar Association, National Lesbian and Gay Lawyers Association, etc.) linked to the Diversity Committee site, so that the website becomes an effective resource for the entire Section.

d. Work collaboratively with the Section’s print and electronic publications to find a practical approach to encourage diverse authors in those publications and recognize contributions by diverse lawyers.

- Include photos of contributing authors where appropriate and within publishing guidelines.
- Include photos acknowledging diversity of membership in membership materials.

e. Communicate the Section’s commitment to diversity as well as the Section’s desire to improve the Section’s image with minority bar associations and younger lawyers.

- Encourage collaborative programming with diverse organizations outside of the ABA consistent with ABA and Section policy.
- Encourage collaborative programming with the Young Lawyers Division consistent with ABA and Section policy.
- Consistent with ABA policy co-sponsor programs and activities with law schools in host cities that have a significant minority student body.
- Communicate first-time registration discounts.
- Solicit minority and younger lawyer speakers from bar associations located in the host city.
- Advertise programs in periodicals/newsletters for minority bar associations and the Young Lawyers Division.
- Personally invite members and leaders of minority and younger lawyer bar associations in the host city to programs and social events, waive any registration fees for the leaders of such associations, and appoint Section members to serve as hosts to such attendees.
f. Wherever possible and appropriate, publicize in local and national media the efforts of the Section in its diversity initiatives

g. Continue to sponsor (or co-sponsor) the annual Diversity Luncheon at a suitable venue