I. Commitment to Diversity

The ABA Commission on Mental and Physical Disability Law (Commission) unconditionally endorses and follows ABA’s Goal III:

**GOAL III: ELIMINATE BIAS AND ENHANCE DIVERSITY**

Objectives:

1. *Promote full and equal participation in the Association, our profession, and the justice system by all persons.*
2. *Eliminate bias in the legal profession and the Justice System.*

Goal III, enacted in 2008, builds on the earlier Goal IX, which was adopted in 1986. In the last few decades, the ABA has undertaken a wide range of diversity efforts in furtherance of Goal IX and Goal III. Those efforts have principally occurred through the work of four ABA entities: this Commission, the Center for Racial and Ethnic Diversity (and its constituent entities: Commission on Racial and Ethnic Diversity in the Profession; Coalition on Racial and Ethnic Justice; and Council on Racial and Ethnic Diversity in the Educational Pipeline), the Commission on Women in the Profession, and the Commission on Sexual Orientation and Gender Identity. In addition to these efforts, many of the ABA’s Sections, Divisions, Forums, Committees and Commissions have actively pursued diversity goals, implemented diversity plans or objectives, made diversity a priority and otherwise served the objectives of Goal III.

In April 2010, the ABA President released a major report with recommendations on *Diversity in the Legal Profession: The Next Steps.* The report recommended that
the ABA “establish an Association-wide diversity plan and urge each pertinent entity (e.g., Section, Division, or Forum) to have its own functional diversity plan that assigns responsibility for diversity directly to entity leadership.” In June 2011, the ABA adopted an association-wide diversity plan which strives to fulfill that recommendation and address several other proposals in the report that are directed to other state, local, and affinity bar associations. This diversity plan is a subsequent effort to further not only the ABA’s commitment to diversity, but also the Commission’s commitment.

II. **Purposes of the Diversity Plan**

This Diversity Plan is intended to lead the Commission in achievement of Goal III, and thereby to ensure full and equal participation in the Commission and its activities by all eligible persons (including attorneys and law students) and the elimination of bias in the Commission. When implemented effectively, the Diversity Plan will foster the recruitment and retention of diverse lawyers and law students within the Commission, and their advancement through ABA leadership; enhance opportunities for diverse individuals to participate in Commission activities and programs, including the provision of accommodations to persons with disabilities; promote a culture of inclusion that attracts diverse members of the profession to the Commission; educate ABA members and leaders about the benefits and importance of diversity; and, by building diversity within the Commission, support the ABA’s efforts to promote diversity in academia, the judiciary, and public and private legal workplaces. In summary, the Diversity Plan is designed to achieve not just diversity - the presence of lawyers and law students from all backgrounds - but inclusion as well - their full and equal participation in the Commission, and thus the ABA.

For the purposes of this Diversity Plan, the term “diversity” generally represents both diversity and inclusion. In the diversity management field, the distinction between the terms has been characterized as “Diversity is the mix. Inclusion is making the mix work.” (Andrés T. Tapia) Diversity often pertains to the numbers - insuring sufficient numbers of targeted populations are represented. Inclusion addresses how well the diverse individuals are included in all aspects of the
III. Objectives & Implementation of the Diversity Plan

The Diversity Plan sets forth numerous objectives and broad goals. The Chair of the Commission’s Committee on Goal III, with the assistance of Commission staff, will be responsible for oversight of this Diversity Plan. At each Commission meeting, the Chair will report to the Commission on the status of the Diversity Plan.

A. Track diversity within the Commission, including:
   1. The Commission’s membership
   2. Liaisons from the Commission and sent to the Commission

B. Promote and track diversity in the Commission’s leadership nominations and the ABA’s leadership development processes.
   1. Ensure the submission of a diverse group of nominees to be sent to the Presidential Appointments Committee for the Commission’s membership. Disability diversity should be highlighted in the submission.
   2. Require diversity as an emphasis in the Presidential appointments process for the Commission, including diversity among the appointments committee members (such diversity to be measured, at least in part, by consideration of data that indicates the diversity of ABA membership).

C. Promote diversity in the Commission’s membership.
   1. Marketing and membership solicitation materials should be welcoming.
2. Engage in active marketing, recruitment and outreach efforts to affinity bars and other professional organizations, legal communities, and law schools to promote diversity.

3. Urge ABA entities to have formal or informal liaison relationships with the Commission, and appoint persons who will be active liaisons.

4. Ensure that the Commission both send and receive liaisons from the other Goal III entities.

D. Promote diversity in CLE and other programming, both live and virtual.
   1. Implement strategic actions to improve diversity among speakers, moderators, and attendees.
   2. Ensure program content appeals to diverse communities, consistent with the sponsoring entities’ subject matter specialties, if any.
   3. Explore partnering or co-sponsoring opportunities with affinity bars and other organizations that can contribute to diversity.
   4. Ensure program venues and materials are accessible to participants with disabilities.
   5. Use program locations and venues, as well as social media, to enhance opportunities for participation by diverse lawyers and law students (e.g., locations that may minimize cost barriers; venues that may increase diverse community participation, like historically black college and university law schools, affinity bar association locations; and social networking sites that may increase marketing efforts to diverse communities).

E. Promote diversity in Commission publications (hard copy and electronic).
   1. Implement strategic actions to increase diversity in ABA members responsible for editorial policy and content of publications.
2. Recruit authors who come from diverse communities and backgrounds.
3. Ensure content of publications appeals to diverse communities, consistent with the sponsoring entities’ subject matter specialties, if any.
4. Ensure content of publications are accessible to persons with disabilities.

F. Promote diversity in the Commission’s “marquee” events (e.g., awards events, luncheons, conferences, receptions), including:
   1. Diversity of speakers.
   2. Diversity of award recipients.
   3. Diversity of planning and award nominations committees.

G. Promote the elimination of bias within the legal profession and society as a whole as it pertains to individuals with disabilities and those of other minority and protected classes. Such efforts should be taken with entities both inside and outside of the ABA.

H. Enhance the current tracking and reporting of progress in diversity efforts, including:
   1. Have at least one staff person designated to collect the Commission’s relevant Goal III data regarding all of the Commission’s event speakers and non-staff writers.
   2. The Chair of the Committee on Goal III, with the assistance of staff, will annually analyze data reported from the other ABA entities for the Goal III reports and present any concerns or relevant ideas to the Commission.
   3. Continue the annual Goal III reporting process, but urge more robust participation and tracking by ABA entities; encourage greater promotion of the reporting process by ABA leadership and
accountability for entities that require significant improvement in their diversity efforts.

4. Ensure widespread dissemination of the annual Goal III diversity report among ABA leadership and throughout ABA entities, including in accessible formats for persons with disabilities, and through posting on websites.

I. Ensure that the Commission’s national mentoring program for lawyers and law students with disabilities promotes other aspects of diversity.

J. Promote the Commission’s diversity accomplishments, including the following:
   1. Develop and prominently post on the Commission’s website information about successful diversity programs and activities.
   2. Invest in a regular presence in pertinent legal and diversity publications to showcase Commission diversity accomplishments.
   3. Urge ABA members and staff with an expertise in diversity areas to regularly write and speak on behalf of the Commission.

*Adopted by the Commission on 7.27.2011.*